

CODE: \$2515
STEPHANIE RICE, ESQ. (SBN 11627)
DEL HARDY, ESQ. (SBN 1172)
RICHARD A. SALVATORE, ESQ. (6809)
WINTER STREET LAW GROUP
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Attorneys for Plaintiffs

Electronically Filed
Oct 12 2016 01:38 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

NEVADA RECYCLING AND SALVAGE, LTD, a
Nevada Limited Liability Company; and,
AMCB, LLC, a Nevada Limited Liability
Company doing business as RUBBISH
RUNNERS,

CASE NO.: CV15-00497

DEPT. NO.: 7

Plaintiffs,

vs.

RENO DISPOSAL COMPANY, INC., a Nevada
Corporation doing business as WASTE
MANAGEMENT; REFUSE, INC., a Nevada
Corporation; WASTE MANAGEMENT OF
NEVADA, INC., a Nevada Corporation; ABC
CORPORATIONS, I though X; BLACK AND
WHITE COMPANIES, I through X; and, JOHN
DOES I through X, inclusive

Defendants.

JOINT NOTICE OF APPEAL¹

Notice is hereby given that Plaintiffs, NEVADA RECYCLING AND SALVAGE, LTD. and
AMCB, LLC doing business as RUBBISH RUNNERS, by and through their counsel, DEL HARDY,
ESQ., STEPHANIE RICE, ESQ., RICHARD SALVATORE, ESQ. of WINTER STREET LAW GROUP,
hereby jointly appeal to the Supreme Court of Nevada from the Order granting Summary

¹ Pursuant to NRAP 3(b)(1), all Plaintiffs, having joint interests herein, hereby respectfully jointly appeal the
District Court's Order granting Summary Judgment Regarding Liability and Damages in favor of Defendants, RENO
DISPOSAL COMPANY, INC. doing business as WASTE MANAGEMENT and REFUSE, Inc.

1 Judgment regarding both Liability and Damages in favor of Defendants,² and against all
2 Plaintiffs, entered in this action on the 20th day of September, 2016.

3 DATED this 6th day of October, 2016.

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6 STEPHANIE RICE, ESQ. (SBN 11627)
7 Attorney for Plaintiffs
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18 ² Defendant, WASTE MANAGEMENT OF NEVADA, INC., was added as a party to this action on June 8,
19 2016. Immediately after the filing of it's Answer, WASTE MANAGEMENT OF NEVADA, INC. filed
20 Joinders in the other Defendants already pending Motions for Summary Judgment re: Liability and
21 Damages. Plaintiffs opposed/objected to the Joinders, attaching an NRCP 56(f) Affidavit thereto seeking
22 time for discovery, as no discovery had been conducted against the newly added Defendant, WASTE
23 MANAGEMENT OF NEVADA, INC. Oral arguments were held on the Motions for Summary Judgment filed
24 by the other Defendants on August 18, 2016 and the final Order thereon was entered on September 19,
25 2016. At no time did the Court address or rule on WASTE MANAGEMENT OF NEVADA, INC.'s Joinders
26 and there has been no Order joining it in the other Defendants' Summary Judgment Motions to date.
27 The final Order entering Summary Judgment on liability and damages entered herein is not clear as to
28 whether it applies to all Defendants or only the moving Defendants, RENO DISPOSAL COMPANY, INC.
and REFUSE, INC. The Order itself refers to "Defendants'" Motions for Summary Judgment and further
names all Defendants, including WASTE MANAGEMENT OF NEVADA, INC., and makes the designation all
Defendants are "collectively referred to as 'Waste Management' and/or 'Defendants' " therein. See,
Order, attached hereto at Exhibit 1. There is currently a Motion pending before the Court which should
provide such clarification; however, in order to preserve Plaintiffs' appeal rights and in the abundance
of caution, Plaintiffs hereby file this Notice of Appeal and include all Defendants, unless and until such
time as the Court rules on the Motion pending before it regarding WASTE MANAGEMENT OF NEVADA,
INC.

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of WINTER STREET LAW GROUP,
96 & 98 Winter Street, Reno, Nevada 89503, and that on this date I served the foregoing
document(s) described as **NOTICE OF APPEAL** on all parties to this action by:

X Placing an original or true copy thereof in a sealed envelope placed for collection
and mailing in the United States Mail, at Reno, Nevada, postage paid, following
ordinary business practices.

 Personal Delivery

 Facsimile (FAX) and/or Email:

 Federal Express or other overnight delivery

 Messenger Service

 Certified Mail with Return Receipt Requested

 Electronically filed

addressed as follows:

Mark Simons, Esq.
Scott Hernandez, Esq.
Therese M. Shanks, Esq.
Robison, Belaustegui, Sharp and Low
71 Washington Street
Reno, Nevada 89503

AFFIRMATION

Pursuant to NRS 239B.030, the undersigned does hereby affirm that the proceeding
document and attached exhibits, if any, do not contain the Social Security Number of any
person.

DATED this 10th day of October, 2016.


AN EMPLOYEE OF WINTER STREET LAW GROUP

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RENO DISPOSAL COMPANY, INC. et al

CASE NO. CV15-00497

JOINT NOTICE OF APPEAL

EXHIBIT INDEX

EXHIBIT #	DESCRIPTION	LENGTH
1	Order from August 18, 2016 Hearing	7

EXHIBIT “1”

EXHIBIT “1”

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

NEVADA RECYCLING AND
SALVAGE, LTD,

Case No.: CV15-00497

Dept. No.: 7

Plaintiff,

vs.

RENO DISPOSAL COMPANY, INC.,
a Nevada corporation doing business
as WASTE MANAGEMENT, et. al.

Defendants.

ORDER

This matter came on for hearing on August 18, 2016, on the Defendants' Second Motion for Summary Judgment re: Liability and the Defendants' Motion for Summary Judgment re: Damages. Mark G. Simons, Esq. and Therese M. Shanks, Esq. of the law firm of Robison, Belaustegui, Sharp & Low appeared on behalf of Defendants Reno Disposal Company, Inc. ("Reno Disposal"), Refuse, Inc. ("Refuse"), and Waste Management of Nevada, Inc. ("WMON") (hereinafter collectively referred to as "Waste Management" and/or "Defendants"). Stephanie Rice, Esq. and Richard A. Salvatore, Esq. of Winter Street Law Group appeared on behalf of Plaintiffs Nevada Recycling and Salvage, Ltd. ("NRS") and AMCB, LLC dba Rubbish Runners ("RR") (collectively the "Plaintiffs" unless otherwise specified).

The Court has considered the motions, the oppositions thereto and the replies,

1 all papers submitted in connection with such briefing, and the arguments of counsel
2 at the time of the hearing. In rendering its decision, the Court considered that in
3 evaluating the Plaintiffs' claim of anti-competitive behavior, state trial courts are
4 directed to look to the federal courts for guidance in these cases and this Court has
5 looked to the United States Supreme Court decisions where applicable. See NRS
6 598A.050 ("The provisions of this chapter shall be construed in harmony with
7 prevailing judicial interpretations of the federal antitrust statutes.").

8 Based upon the Court's analysis, the undisputed facts and the unambiguous
9 language of the franchise agreements incorporated by reference herein, and for good
10 cause the Court GRANTS both motions for summary judgment for the following
11 reasons and on the following grounds:

12 1. This case involves a dispute over franchise agreements, plural, for the
13 collection of solid waste and recyclable materials granted by the City of Reno to Reno
14 Disposal and to Castaway Trash Hauling ("Castaway") back in 2012.

15 2. After the original franchise agreements were signed by the City of Reno,
16 Castaway assigned its rights it held under its own franchise agreement with the City
17 of Reno to Reno Disposal. And as a result, Reno Disposal now has an exclusive right,
18 a monopoly, to provide commercial waste disposal and collection of recyclable
19 materials for the entire City of Reno.

20 3. Plaintiffs in this case are two trash disposal and recycling companies
21 who do business in the City of Reno. Plaintiffs originally asserted seven causes of
22 action. The Defendants filed a motion to dismiss the Plaintiffs' claims and this Court,
23 after arguments and briefing on the issues presented, entered an order dismissing all
24 of the Plaintiffs' other causes of action leaving Plaintiffs only with this claim for
25 unfair trade practices.

26 4. The Plaintiffs' remaining contention in this case is that the Defendants
27 hid their plan to consolidate the franchise agreements from the City, and that if their
28 true intentions were known, the Reno City Council would never have assented to

1 terms of the franchise agreements in the first place. The Plaintiffs contend that this
2 conduct violates the Nevada Unfair Trade Practices Act.

3 5. Before the Court are Defendants' motions for summary judgment on
4 liability and damages. Summary judgment is proper if the pleadings and all other
5 evidence on file demonstrates that no genuine issue of material fact exists and that
6 the moving party is entitled to judgment as a matter of law.

7 6. When the Court decides a motion for summary judgment, it must view
8 all other evidence in the light most favorable to the nonmoving party. General
9 allegations and conclusory statements do not create a genuine issue of law.

10 7. The Defendants' essential argument is that the assignment of the
11 franchise agreement to Reno Disposal was done pursuant to express contractual
12 provisions contained in the franchise agreements, and such action was expressly
13 authorized and approved by the City of Reno.

14 8. The Defendants claim and the Plaintiffs concede the following: that the
15 franchise agreements are valid and unambiguous contracts; that the City of Reno was
16 authorized to enter into the franchise agreements; that the franchise agreements
17 expressly contemplated the consolidation of the two franchises into a single franchise;
18 that the franchise agreements expressly preapproved Reno Disposal acquiring
19 Castaway's franchise rights without further City of Reno approval; and that the City
20 of Reno expressly approved Reno Disposal's acquisition of Castaway's franchise rights
21 thereby establishing a single franchise situation.

22 9. Central to the Plaintiffs' case is the argument that the agreement
23 between Castaway and Reno Disposal several months before the public hearings
24 constituted a criminal conspiracy. This Court can find no evidence to support that
25 characterization.

26 10. Looking to the United States Supreme Court in Eastern Railroad
27 President's Conference v. Noerr Motor Freight, 365 U.S. 127, 135 (1961) (rehearing
28 denied 365 U.S. 875), Justice Hugo Black stated:

1 We accept as the starting point for our consideration of the case the same
2 basic construction of the Sherman Antitrust Act adopted by the courts below
3 that no violation of the act can be predicated upon mere attempts to influence
4 the passage or enforcement of laws. It has been recognized at least since the
5 landmark decision of this Court in Standard Oil Company of New Jersey v.
6 United States, that the Sherman Act forbids only those trade restraints and
7 monopolizations that are created or attempted by the acts of individuals or
8 combination of individuals or corporations. Accordingly, it has been held that
9 where a restraint upon trade or monopolization is the result of valid
10 government action, as opposed to private action, no violation of the act can be
11 made out.

12 Further in the Noerr decision, Justice Black states: "we think it equally clear
13 that the Sherman Act does not prohibit two or more persons from associating together
14 in an attempt to persuade the legislature or the executive", which in this case was
15 the City of Reno "to take particular action with respect to a law that would produce a
16 restraint or a monopoly." Id. at 136.

17 11. The Nevada Revised Statutes clearly contemplate the safe harbor
18 described in the Noerr decision. NRS 598A.040(3)(b) says that the provisions of this
19 chapter do not apply to conduct which is expressly authorized, regulated, or approved
20 by an ordinance of any city or county of this state.

21 12. The Court finds that the franchise agreement entered into by the City
22 of Reno and Reno Disposal in this case is valid, unambiguous, and enforceable.

23 13. The Court finds that this contract, although it limits competition in the
24 waste disposal industry, is a valid exercise of a proper government power and is
25 specifically exempted from antitrust supervision and antitrust application.

26 14. Further, the Defendants' conduct is exempt from liability because it
27 involves a political and not business conduct under the Noerr Doctrine discussed
28 above.

15. In terms of damages, the Defendants argue that the Plaintiffs lack standing to assert their claim, because they were not qualified to service a franchise zone, that they never sought to be considered by the City of Reno to serve as a franchise zone, and that the City of Reno determined that they were not qualified waste haulers.

16. The Court finds that pursuant to NRS 598A.040(3) the Plaintiffs have not sustained any injury and the Plaintiffs have not alleged an antitrust injury sufficient to confer standing to prove any claim under NRS 598A.060.

IT IS SO ORDERED.

DATED this 19 day of September, 2016.

Patrick Flanagan
PATRICK FLANAGAN
District Judge

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3 CERTIFICATE OF SERVICE

4 Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second
5 Judicial District Court of the State of Nevada, County of Washoe; that on this
6 19 day of September, 2016, I electronically filed the following with the Clerk of
7 the Court by using the ECF system which will send a notice of electronic filing to
8 the following:

9 Stephanie Rice, Esq., attorney for Nevada Recycling and Salvage, Ltd., and
10 AMCB, LLC.; and

11 Mark G. Simons, Esq., attorney for Reno Disposal Company, Inc., Refuse,
12 Inc., and Waste Management of Nevada, Inc.

13 
14 Judicial Assistant

CODE: 1310
STEPHANIE RICE, ESQ. (SBN 11627)
DEL HARDY, ESQ. (SBN 1172)
RICHARD A. SALVATORE, ESQ. (6809)
WINTER STREET LAW GROUP
96 & 98 Winter Street
Reno, Nevada 89503
Telephone: (775) 786-5800
Fax: (775) 329-8282
Attorneys for Plaintiffs

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

NEVADA RECYCLING AND SALVAGE, LTD, a
Nevada Limited Liability Company; and,
AMCB, LLC, a Nevada Limited Liability
Company doing business as RUBBISH
RUNNERS,

Plaintiffs,

vs.

RENO DISPOSAL COMPANY, INC., a Nevada
Corporation doing business as WASTE
MANAGEMENT; REFUSE, INC., a Nevada
Corporation; WASTE MANAGEMENT OF
NEVADA, INC., a Nevada Corporation; ABC
CORPORATIONS, I though X; BLACK AND
WHITE COMPANIES, I through X; and, JOHN
DOES I through X, inclusive

Defendants.

CASE NO.: CV15-00497

DEPT. NO.: 7

JOINT CASE APPEAL STATEMENT¹

COMES NOW, Plaintiffs, NEVADA RECYCLING AND SALVAGE, LTD. and AMCB, LLC doing
business as RUBBISH RUNNERS, by and through their attorneys, STEPHANIE RICE, ESQ., DEL
HARDY, ESQ. and RICHARD A. SALVATORE, ESQ., of WINTER STREET LAW GROUP, hereby
respectfully submits this Joint Case Appeal Statement as follows:

¹ Pursuant to NRAP 3(b)(1), all Plaintiffs, having joint interests herein, hereby respectfully jointly appeal the
District Court's Order granting Summary Judgment Regarding Liability and Damages in favor of Defendants, RENO
DISPOSAL COMPANY, INC. doing business as WASTE MANAGEMENT and REFUSE, Inc.

1. Name of appellant(s) filing this case appeal statement:

NEVADA RECYCLING AND SALVAGE, LTD. and AMCB, LLC doing business as
RUBBISH RUNNERS

2. Identify the judge issuing the decision, judgment, or order appealed from:

The Honorable Judge Patrick Flanagan

3. Identify each appellant and the name and address of counsel for each appellant:

Joint Appellants Herein: NEVADA RECYCLING AND SALVAGE, LTD., and
AMCB, LLC doing business as RUBBISH RUNNERS

Counsel Name & Address: DEL HARDY, ESQ.
STEPHANIE RICE, ESQ.
RICHARD SALVATORE, ESQ.
WINTER STREET LAW GROUP
96 & 98 Winter Street
Reno, Nevada 89503
Attorneys for Joint Appellants

4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):

Respondents Herein: RENO DISPOSAL COMPANY, INC. doing business as
WASTE MANAGEMENT; REFUSE, INC.; and WASTE
MANAGEMENT OF NEVADA, INC.²

² Defendant, WASTE MANAGEMENT OF NEVADA, INC., was added as a party to this action on June 8, 2016. Immediately after the filing of its Answer, WASTE MANAGEMENT OF NEVADA, INC. filed Joinders in the other Defendants already pending Motions for Summary Judgment re: Liability and Damages. Plaintiffs opposed/objected to the Joinders, attaching an NRCP 56(f) Affidavit thereto seeking time for discovery, as no discovery had been conducted against the newly added Defendant, WASTE MANAGEMENT OF NEVADA, INC. Oral arguments were held on the Motions for Summary Judgment filed by the other Defendants on August 18, 2016 and the final Order thereon was entered on September 19, 2016. At no time did the Court address or rule on WASTE MANAGEMENT OF NEVADA, INC.'s Joinders and there has been no Order joining it in the other Defendants' Summary Judgment Motions to date. The final Order entering Summary Judgment on liability and damages entered herein is not clear as to whether it applies to all Defendants or only the moving Defendants, RENO DISPOSAL COMPANY, INC. and REFUSE, INC. The Order itself refers to "Defendants'" Motions for Summary Judgment and further names all Defendants, including WASTE MANAGEMENT OF NEVADA, INC., and makes the designation all Defendants are "collectively referred to as 'Waste Management' and/or 'Defendants' " therein. See, Order, attached hereto at Exhibit 1. There is currently a Motion pending before the Court which should

Cont. Answer to Question 4 above:

Appellate Counsel: Unknown

Respondents' Trial Counsel: MARK SIMONS, ESQ.
SCOTT HERNANDEZ, ESQ.
THERESE M. SHANKS, ESQ.
ROBISON, BELAUSTEGUI, SHARP AND LOW
71 Washington Street
Reno, Nevada 89503
Trial Counsel for Above-Named Respondents

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42:

At all times herein, all attorneys identified in response to questions 3 and 4 above are believed to be licensed to practice law in Nevada. There was no grant of permission to appear under SCR 42 granted by the District Court in this matter.

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

Joint Appellants herein were represented by retained counsel in the District Court.

7. Whether appellant is represented by appointed or retained counsel on appeal:

Joint Appellants herein are represented by retained counsel on appeal.

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

N/A, no appellant was granted leave to proceed in forma pauperis.

9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):

Plaintiffs filed the Complaint on March 18, 2015.

provide such clarification; however, in order to preserve Plaintiffs' appeal rights and in the abundance of caution, Plaintiffs hereby file this Case Appeal Statement and include all Defendants, unless and until such time as the Court rules on the Motion pending before it regarding WASTE MANAGEMENT OF NEVADA, INC.

10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:

This case arises from Defendants' anticompetitive scheme and course of conduct in conspiring with non-party Castaway Trash Hauling, whereby, among other things, Defendants and non-party, Castaway Trash Hauling, colluded to combine and effectuate a secret acquisition, the explicit purpose and intent of which was to create a monopoly and unlawfully exclude Plaintiff-competitors from the market. In doing so, Defendants have utilized this anticompetitive scheme to foreclose competition, to unlawfully gain a monopolistic competitive advantage, and to destroy Plaintiff-competitors, all in violation of Nevada's Unfair Trade Practice Act. ("NUTPA").

The Honorable Judge Flanagan granted Summary Judgment regarding Liability and Damages in favor of Defendants³ and against Plaintiffs and an Order was entered thereon on September 19, 2016, with a Notice of Entry of Order filed September 20, 2016. Plaintiffs appeal the Order granting Summary Judgment regarding liability and damages herein.

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

This case has not previously been the subject of an appeal or original writ proceeding in the Supreme Court.

12. Indicate whether this appeal involves child custody or visitation:

This appeal does not involve child custody or visitation.

³ Plaintiffs believe that the Order granting Summary Judgment regarding liability and damages entered herein on September 19, 2016, does not apply to Defendant, WASTE MANAGEMENT OF NEVADA, INC. However, due to the facts that: 1. Defendants herein believe the September 19, 2016 Order applies to all Defendants; 2. The Order is not clear as to which Defendants it applies to; and, 3. There is a pending Motion before the Court which should clarify this matter, but has not yet been ruled on; in the abundance of caution, Plaintiffs file the instant Joint Case Appeal Statement as to all Defendants. See, also Footnote 2 herein.

1 **13. If this is a civil case, indicate whether this appeal involves the possibility of**
2 **settlement:**

3 While the undersigned is always hopeful that the possibility of settlement exists
4 in all matters, in light of the contentious nature of this action, the realistic
5 possibility of settlement in this case is unlikely, but always available for
6 consideration.

7 DATED this 6th day of October, 2016.

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10 STEPHANIE RICE, ESQ. (SBN 11627)
11 Attorney for Plaintiffs
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of WINTER STREET LAW GROUP,
96 & 98 Winter Street, Reno, Nevada 89503, and that on this date I served the foregoing
document(s) described as **CASE APPEAL STATEMENT** on all parties to this action by:

X Placing an original or true copy thereof in a sealed envelope placed for collection
and mailing in the United States Mail, at Reno, Nevada, postage paid, following
ordinary business practices.

 Personal Delivery

 Facsimile (FAX) and/or Email:

 Federal Express or other overnight delivery

 Messenger Service

 Certified Mail with Return Receipt Requested

 Electronically filed

addressed as follows:

Mark Simons, Esq.
Scott Hernandez, Esq.
Therese M. Shanks, Esq.
Robison, Belaustegui, Sharp and Low
71 Washington Street
Reno, Nevada 89503

AFFIRMATION

Pursuant to NRS 239B.030, the undersigned does hereby affirm that the proceeding
document and attached exhibits, if any, do not contain the Social Security Number of any
person.

DATED this 16th day of October, 2016.


AN EMPLOYEE OF WINTER STREET LAW GROUP

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RENO DISPOSAL COMPANY, INC. et al

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EXHIBIT "1"

EXHIBIT "1"

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

NEVADA RECYCLING AND
SALVAGE, LTD,

Case No.: CV15-00497

Dept. No.: 7

Plaintiff,

vs.

RENO DISPOSAL COMPANY, INC.,
a Nevada corporation doing business
as WASTE MANAGEMENT, et. al.

Defendants.

ORDER

This matter came on for hearing on August 18, 2016, on the Defendants' Second Motion for Summary Judgment re: Liability and the Defendants' Motion for Summary Judgment re: Damages. Mark G. Simons, Esq. and Therese M. Shanks, Esq. of the law firm of Robison, Belaustegui, Sharp & Low appeared on behalf of Defendants Reno Disposal Company, Inc. ("Reno Disposal"), Refuse, Inc. ("Refuse"), and Waste Management of Nevada, Inc. ("WMON") (hereinafter collectively referred to as "Waste Management" and/or "Defendants"). Stephanie Rice, Esq. and Richard A. Salvatore, Esq. of Winter Street Law Group appeared on behalf of Plaintiffs Nevada Recycling and Salvage, Ltd. ("NRS") and AMCB, LLC dba Rubbish Runners ("RR") (collectively the "Plaintiffs" unless otherwise specified).

The Court has considered the motions, the oppositions thereto and the replies,

1 all papers submitted in connection with such briefing, and the arguments of counsel
2 at the time of the hearing. In rendering its decision, the Court considered that in
3 evaluating the Plaintiffs' claim of anti-competitive behavior, state trial courts are
4 directed to look to the federal courts for guidance in these cases and this Court has
5 looked to the United States Supreme Court decisions where applicable. See NRS
6 598A.050 ("The provisions of this chapter shall be construed in harmony with
7 prevailing judicial interpretations of the federal antitrust statutes.").

8 Based upon the Court's analysis, the undisputed facts and the unambiguous
9 language of the franchise agreements incorporated by reference herein, and for good
10 cause the Court GRANTS both motions for summary judgment for the following
11 reasons and on the following grounds:

12 1. This case involves a dispute over franchise agreements, plural, for the
13 collection of solid waste and recyclable materials granted by the City of Reno to Reno
14 Disposal and to Castaway Trash Hauling ("Castaway") back in 2012.

15 2. After the original franchise agreements were signed by the City of Reno,
16 Castaway assigned its rights it held under its own franchise agreement with the City
17 of Reno to Reno Disposal. And as a result, Reno Disposal now has an exclusive right,
18 a monopoly, to provide commercial waste disposal and collection of recyclable
19 materials for the entire City of Reno.

20 3. Plaintiffs in this case are two trash disposal and recycling companies
21 who do business in the City of Reno. Plaintiffs originally asserted seven causes of
22 action. The Defendants filed a motion to dismiss the Plaintiffs' claims and this Court,
23 after arguments and briefing on the issues presented, entered an order dismissing all
24 of the Plaintiffs' other causes of action leaving Plaintiffs only with this claim for
25 unfair trade practices.

26 4. The Plaintiffs' remaining contention in this case is that the Defendants
27 hid their plan to consolidate the franchise agreements from the City, and that if their
28 true intentions were known, the Reno City Council would never have assented to

1 terms of the franchise agreements in the first place. The Plaintiffs contend that this
2 conduct violates the Nevada Unfair Trade Practices Act.

3 5. Before the Court are Defendants' motions for summary judgment on
4 liability and damages. Summary judgment is proper if the pleadings and all other
5 evidence on file demonstrates that no genuine issue of material fact exists and that
6 the moving party is entitled to judgment as a matter of law.

7 6. When the Court decides a motion for summary judgment, it must view
8 all other evidence in the light most favorable to the nonmoving party. General
9 allegations and conclusory statements do not create a genuine issue of law.

10 7. The Defendants' essential argument is that the assignment of the
11 franchise agreement to Reno Disposal was done pursuant to express contractual
12 provisions contained in the franchise agreements, and such action was expressly
13 authorized and approved by the City of Reno.

14 8. The Defendants claim and the Plaintiffs concede the following: that the
15 franchise agreements are valid and unambiguous contracts; that the City of Reno was
16 authorized to enter into the franchise agreements; that the franchise agreements
17 expressly contemplated the consolidation of the two franchises into a single franchise;
18 that the franchise agreements expressly preapproved Reno Disposal acquiring
19 Castaway's franchise rights without further City of Reno approval; and that the City
20 of Reno expressly approved Reno Disposal's acquisition of Castaway's franchise rights
21 thereby establishing a single franchise situation.

22 9. Central to the Plaintiffs' case is the argument that the agreement
23 between Castaway and Reno Disposal several months before the public hearings
24 constituted a criminal conspiracy. This Court can find no evidence to support that
25 characterization.

26 10. Looking to the United States Supreme Court in Eastern Railroad
27 President's Conference v. Noerr Motor Freight, 365 U.S. 127, 135 (1961) (rehearing
28 denied 365 U.S. 875), Justice Hugo Black stated:

1 We accept as the starting point for our consideration of the case the same
2 basic construction of the Sherman Antitrust Act adopted by the courts below
3 that no violation of the act can be predicated upon mere attempts to influence
4 the passage or enforcement of laws. It has been recognized at least since the
5 landmark decision of this Court in Standard Oil Company of New Jersey v.
6 United States, that the Sherman Act forbids only those trade restraints and
7 monopolizations that are created or attempted by the acts of individuals or
8 combination of individuals or corporations. Accordingly, it has been held that
9 where a restraint upon trade or monopolization is the result of valid
10 government action, as opposed to private action, no violation of the act can be
11 made out.

12 Further in the Noerr decision, Justice Black states: "we think it equally clear
13 that the Sherman Act does not prohibit two or more persons from associating together
14 in an attempt to persuade the legislature or the executive", which in this case was
15 the City of Reno "to take particular action with respect to a law that would produce a
16 restraint or a monopoly." Id. at 136.

17 11. The Nevada Revised Statutes clearly contemplate the safe harbor
18 described in the Noerr decision. NRS 598A.040(3)(b) says that the provisions of this
19 chapter do not apply to conduct which is expressly authorized, regulated, or approved
20 by an ordinance of any city or county of this state.

21 12. The Court finds that the franchise agreement entered into by the City
22 of Reno and Reno Disposal in this case is valid, unambiguous, and enforceable.

23 13. The Court finds that this contract, although it limits competition in the
24 waste disposal industry, is a valid exercise of a proper government power and is
25 specifically exempted from antitrust supervision and antitrust application.

26 14. Further, the Defendants' conduct is exempt from liability because it
27 involves a political and not business conduct under the Noerr Doctrine discussed
28 above.

15. In terms of damages, the Defendants argue that the Plaintiffs lack standing to assert their claim, because they were not qualified to service a franchise zone, that they never sought to be considered by the City of Reno to serve as a franchise zone, and that the City of Reno determined that they were not qualified waste haulers.

16. The Court finds that pursuant to NRS 598A.040(3) the Plaintiffs have not sustained any injury and the Plaintiffs have not alleged an antitrust injury sufficient to confer standing to prove any claim under NRS 598A.060.

IT IS SO ORDERED.

DATED this 19 day of September, 2016.

Patrick Flanagan
PATRICK FLANAGAN
District Judge

1
2
3 CERTIFICATE OF SERVICE

4 Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second
5 Judicial District Court of the State of Nevada, County of Washoe; that on this
6 19 day of September, 2016, I electronically filed the following with the Clerk of
7 the Court by using the ECF system which will send a notice of electronic filing to
8 the following:

9 Stephanie Rice, Esq., attorney for Nevada Recycling and Salvage, Ltd., and
10 AMCB, LLC.; and

11 Mark G. Simons, Esq., attorney for Reno Disposal Company, Inc., Refuse,
12 Inc., and Waste Management of Nevada, Inc.

13 
14 Judicial Assistant

SECOND JUDICIAL DISTRICT COURT**STATE OF NEVADA****COUNTY OF WASHOE****Case History - CV15-00497****Case Description: NEV RECYCLING ET AL VS RENO DISPOSAL ET AL (D7)**

Case Number: CV15-00497 Case Type: OTHER CIVIL MATTERS - Initially Filed On: 3/18/2015

Parties

<u>Party Type & Name</u>	<u>Party Status</u>
JUDG - PATRICK FLANAGAN - D7	Active
PLTF - AMCB, LLC DBA RUBBISH RUNNERS - @1273421	Active
PLTF - NEVADA RECYCLING AND SALVAGE, LTD. - @1127645	Active
DEFT - REFUSE, INC. - @81677	Active
DEFT - RENO DISPOSAL COMPANY, INC DBA WASTE MANAGEMENT - @1273419	Active
DEFT - WASTE MANAGEMENT OF NEVADA, INC. - @1294357	Active
ATTY - Scott L. Hernandez, Esq. - 13147	Active
ATTY - Therese M. Shanks, Esq. - 12890	Active
ATTY - Leslie Bryan Hart, Esq. - 4932	Active
ATTY - Stephanie Rice, Esq. - 11627	Active
ATTY - Del L. Hardy, Esq. - 1172	Active
ATTY - Mark G. Simons, Esq. - 5132	Active

Disposed Hearings

- 1 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 3/20/2015 at 12:01:00
Extra Event Text: MOTION FOR TEMPORARY RESTAINING ORDER
Event Disposition: S200 - 3/25/2015
- 2 Department: D7 -- Event: HEARING... -- Scheduled Date & Time: 4/16/2015 at 09:00:00
Extra Event Text: RE APPLICATION FOR TRO
Event Disposition: D355 - 4/16/2015
- 3 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 5/19/2015 at 14:52:00
Extra Event Text: MOTION TO DISMISS VERIFIED AMENDED COMPLAINT
Event Disposition: S200 - 7/2/2015
- 4 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 6/15/2015 at 15:07:00
Extra Event Text: PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' REPLY
Event Disposition: S200 - 7/2/2015
- 5 Department: D7 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 7/29/2015 at 13:45:00
Extra Event Text: RE DEFENDANT'S MTN TO DISMISS
Event Disposition: D430 - 7/29/2015
- 6 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 9/9/2015 at 15:36:00
Extra Event Text: PLAINTIFFS OBJECTION TO DEFENDANTS' PROPOSED ORDER FILED 9/02/15
Event Disposition: S200 - 9/15/2015
- 7 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 10/16/2015 at 16:20:00
Extra Event Text: DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
Event Disposition: S200 - 12/7/2015

- 8 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 11/6/2015 at 14:30:00
Extra Event Text: DEFENDANTS' MOTION TO STAY DISCOVERY
Event Disposition: S200 - 12/7/2015
- 9 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 12/15/2015 at 10:26:00
Extra Event Text: NON-PARTY CASTAWAY TRASH'S MOTION TO QUASH SUBPOENA DUCES TECUM
Event Disposition: S200 - 2/11/2016
- 10 Department: D7 -- Event: STATUS HEARING -- Scheduled Date & Time: 1/29/2016 at 10:00:00

Event Disposition: D260 - 1/29/2016
- 11 Department: D7 -- Event: MAND PRETRIAL STATUS CONF -- Scheduled Date & Time: 1/29/2016 at 10:00:00
Extra Event Text: MPTC TO BE HELD CONCURRENTLY W/STAT HEAR - ks
Event Disposition: D260 - 1/29/2016
- 12 Department: D7 -- Event: MAND PRETRIAL STATUS CONF -- Scheduled Date & Time: 2/3/2016 at 13:15:00
Extra Event Text: Unfair Business Practices
Event Disposition: D845 - 1/29/2016
- 13 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 2/29/2016 at 14:24:00
Extra Event Text: DEFT'S MOTION FOR A PROTECTIVE ORDER
Event Disposition: S200 - 3/23/2016
- 14 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 4/13/2016 at 13:56:00
Extra Event Text: DEFENDANTS' MOTION FOR CLARIFICATION OF COURT'S MARCH 23, 2016 ORDER
Event Disposition: S200 - 4/19/2016
- 15 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 5/9/2016 at 16:52:00
Extra Event Text: PLAINTIFF'S MOTION TO AMEND COMPLAINT
Event Disposition: S200 - 6/7/2016
- 16 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 5/13/2016 at 15:05:00
Extra Event Text: DEFENDANTS' MOTION FOR LEAVE TO EXCEED PAGE LIMITS
Event Disposition: S200 - 5/26/2016
- 17 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 6/2/2016 at 15:43:00
Extra Event Text: DEFENDANT'S MOTION FOR SUMMARY JUDGMENT RE: DAMAGES
Event Disposition: S200 - 7/12/2016
- 18 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 6/20/2016 at 14:14:00
Extra Event Text: MOTION FOR SUMMARY JUDGMENT RE: LIABILITY
Event Disposition: S200 - 6/20/2016
- 19 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 6/20/2016 at 16:01:00
Extra Event Text: SECOND MOTION FOR SUMMARY JUDGMENT RE: LIABILITY
Event Disposition: S200 - 7/12/2016
- 20 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 6/21/2016 at 10:19:00
Extra Event Text: MOTION TO DISREGARD REQUEST FOR SUBMISSION
Event Disposition: S200 - 7/12/2016
- 21 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/7/2016 at 13:47:00
Extra Event Text: DEFEDNANT'S SECOND MOTION FOR SUMMARY JUDGMENT RE: LIABILITY
Event Disposition: S200 - 7/12/2016

- 22 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/7/2016 at 13:48:00
Extra Event Text: DEFENDANT'S MOTION FOR SUMMARY JUDGMENT RE: DAMAGES FILED 6/16/16
Event Disposition: S200 - 7/12/2016
- 23 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/25/2016 at 16:44:00
Extra Event Text: PLAINTIFF'S MOTION FOR SANCTIONS FOR DEFENDANTS' INTENTIONAL AND WILLFUL VIOLATION OF THIS COURT'S DISCOVERY ORDER
Event Disposition: S200 - 7/27/2016
- 24 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/25/2016 at 16:10:00
Extra Event Text: MOTION FOR TERMINATING SANCTIONS
Event Disposition: S200 - 8/18/2016
- 25 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/25/2016 at 16:43:00
Extra Event Text: PLAINTIFF'S MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANTS AND MARK SIMONS ESQ SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF THIS COURT'S DISCOVERY ORDER
Event Disposition: S200 - 7/27/2016
- 26 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/25/2016 at 16:09:00
Extra Event Text: MOTION FOR PROTECTIVE ORDER PRECLUDING FURTHER DISCOVERY
Event Disposition: S200 - 8/1/2016
- 27 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/25/2016 at 16:44:00
Extra Event Text: PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND SANCTIONS
Event Disposition: S200 - 7/27/2016
- 28 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/25/2016 at 16:12:00
Extra Event Text: MOTION FOR AN ORDER TO SHOW CAUSE WHY PLAINTIFFS, STEPHANIE RICE ESQ AND CHRIS BIESLER SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF THIS COURT'S DISCOVERY ORDER
Event Disposition: S200 - 8/18/2016
- 29 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/27/2016 at 13:40:00
Extra Event Text: MOTION FOR SANCTIONS FOR DEFENDANTS' INTENTIONAL AND WILLFUL VIOLATION OF THIS COURT'S DISCOVERY ORDER
Event Disposition: S200 - 8/18/2016
- 30 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/27/2016 at 13:47:00
Extra Event Text: MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND SANCTIONS
Event Disposition: S200 - 8/18/2016
- 31 Department: D7 -- Event: Request for Submission -- Scheduled Date & Time: 7/27/2016 at 13:38:00
Extra Event Text: MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANTS AND MARK SIMONS ESQ SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF THIS COURT'S DISCOVERY ORDER
Event Disposition: S200 - 8/18/2016
- 32 Department: D7 -- Event: HEARING... -- Scheduled Date & Time: 8/2/2016 at 13:30:00
Extra Event Text: RE DEFENDANT'S MOTION FOR PROTECTIVE RE DEPOSITION SET FOR 08.08.16 - ks
Event Disposition: D425 - 8/2/2016
- 33 Department: D7 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 8/18/2016 at 09:00:00
Extra Event Text: RE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT - ks
Event Disposition: D425 - 8/18/2016

Actions

- Filing Date - Docket Code & Description
- 1 3/18/2015 - \$1425 - \$Complaint - Civil
Additional Text: VERIFIED COMPLAINT - NEVADA RECYCLING AND SALVAGE LTD AND AMCB LLC - Transaction 4865757 - Approved
By: YLLOYD : 03-18-2015:10:26:23

- 2 3/18/2015 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: AMCB, LLC
- 3 3/18/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$260.00 was made on receipt DCDC492978.
- 4 3/18/2015 - 3720 - Proof of Service
Additional Text: Transaction 4866185 - Approved By: MCHOLICO : 03-18-2015:13:22:28
- 5 3/18/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4866606 - Approved By: NOREVIEW : 03-18-2015:13:23:15
- 6 3/18/2015 - 4090 - ** Summons Issued
Additional Text: x2
- 7 3/19/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$30.00 was made on receipt DCDC493207.
- 8 3/20/2015 - 1665 - Ex-Parte Application...
Additional Text: PLAINTIFFS' EX PARTE (WITH NOTICE) APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION - Transaction 4869968 - Approved By: MELWOOD : 03-20-2015:10:46:56
- 9 3/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4870459 - Approved By: NOREVIEW : 03-20-2015:10:48:07
- 10 3/20/2015 - 3860 - Request for Submission
Additional Text: EX PARTE (WITH NOTICE) APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION FILED 3/20/15 (NO ORDER PROVIDED) - Transaction 4870511 - Approved By: MELWOOD : 03-20-2015:11:50:47
- 11 3/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4870831 - Approved By: NOREVIEW : 03-20-2015:11:51:32
- 12 3/20/2015 - 1067 - Affidavit of Service
Additional Text: RENO DISPOSAL COMPANY, INC. SERVED ON 03/19/2015 @ 11:10 AM - Transaction 4871386 - Approved By: MFERNAND : 03-20-2015:16:28:16
- 13 3/20/2015 - 1067 - Affidavit of Service
Additional Text: REFUSE, INC. SERVED ON 03/19/2015 @ 11:10 AM - Transaction 4871392 - Approved By: MFERNAND : 03-20-2015:16:33:19
- 14 3/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4871952 - Approved By: NOREVIEW : 03-20-2015:16:29:08
- 15 3/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4871972 - Approved By: NOREVIEW : 03-20-2015:16:34:07
- 16 3/25/2015 - S200 - Request for Submission Complet
Additional Text: [HEARING TO BE SET RE TRO - ks]
- 17 3/25/2015 - 2520 - Notice of Appearance
Additional Text: MARK SIMONS ESQ AND SCOTT HERNANDEZ ESQ FOR WASTE MANAGEMENT OF NEVADA - Transaction 4877970 - Approved By: YLLOYD : 03-25-2015:16:08:24
- 18 3/25/2015 - \$1560 - \$Def 1st Appearance - CV
Additional Text: RENO DISPOSAL COMPANY, INC. dba WASTE MANAGEMENT - Transaction 4877970 - Approved By: YLLOYD : 03-25-2015:16:08:24

- 19 3/25/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$213.00 was made on receipt DCDC494012.
- 20 3/25/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4878300 - Approved By: NOREVIEW : 03-25-2015:16:09:26
- 21 3/25/2015 - 1090 - Amended Complaint
Additional Text: VERIFIED FIRST AMENDED COMPLAINT - Transaction 4878454 - Approved By: YLLOYD : 03-26-2015:09:32:31
- 22 3/25/2015 - 3720 - Proof of Service
Additional Text: Transaction 4878561 - Approved By: MCHOLICO : 03-26-2015:08:48:51
- 23 3/26/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4878745 - Approved By: NOREVIEW : 03-26-2015:08:49:44
- 24 3/26/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4878880 - Approved By: NOREVIEW : 03-26-2015:09:33:24
- 25 3/26/2015 - 2520 - Notice of Appearance
Additional Text: MARK SIMONS, ESQ. & SCOTT HERNANDEZ, ESQ. / REFUSE, INC.
- 26 4/10/2015 - 1250E - Application for Setting eFile
Additional Text: [TRO HEARING SET FOR 04.16.15 - 9:00 A.M. - ks]
- 27 4/10/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4901220 - Approved By: NOREVIEW : 04-10-2015:09:30:12
- 28 4/13/2015 - 2610 - Notice ...
Additional Text: NOTICE OF INTENT TO ENTER DEFAULT - Transaction 4904563 - Approved By: MCHOLICO : 04-14-2015:10:38:02
- 29 4/14/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4905330 - Approved By: NOREVIEW : 04-14-2015:10:39:18
- 30 4/15/2015 - 2650 - Opposition to ...
Additional Text: OPPOSITION TO EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION - Transaction 4908639 - Approved By: MCHOLICO : 04-16-2015:08:18:04
- 31 4/15/2015 - \$1560 - \$Def 1st Appearance - CV
Additional Text: REFUSE, INC. - Transaction 4908639 - Approved By: MCHOLICO : 04-16-2015:08:18:04
- 32 4/16/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$213.00 was made on receipt DCDC496603.
- 33 4/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4908986 - Approved By: NOREVIEW : 04-16-2015:08:19:00
- 34 4/16/2015 - MIN - ***Minutes
Additional Text: HEARING IN RE: APPLICATION FOR TEMPORARY RESTRAINING ORDER - Transaction 4909600 - Approved By: NOREVIEW : 04-16-2015:11:10:15
- 35 4/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4909612 - Approved By: NOREVIEW : 04-16-2015:11:11:18
- 36 4/16/2015 - 1670 - Ex-Parte Mtn...
Additional Text: DEFENDANTS EX PARTE MOTION FOR EXTENSION OF TIME - Transaction 4910928 - Approved By: YLLOYD : 04-17-2015:08:30:04

- 37 4/17/2015 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO EX PARTE MOTION FOR EXTENSION OF TIME - Transaction 4911123 - Approved By: YLLOYD : 04-17-2015:10:20:16
- 38 4/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4911213 - Approved By: NOREVIEW : 04-17-2015:08:31:07
- 39 4/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4911647 - Approved By: NOREVIEW : 04-17-2015:10:21:12
- 40 4/20/2015 - 1550 - Default
Additional Text: RENO DISPOSAL COMPANY, INC.
- 41 4/20/2015 - 2315 - Mtn to Dismiss ...
Additional Text: MOTION TO DISMISS VERIFIED AMENDED COMPLAINT - Transaction 4915431 - Approved By: MCHOLICO : 04-21-2015:08:58:23
- 42 4/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4915604 - Approved By: NOREVIEW : 04-21-2015:09:00:25
- 43 4/21/2015 - 4185 - Transcript
Additional Text: HEARING - APRIL 16, 2015 - Transaction 4915979 - Approved By: NOREVIEW : 04-21-2015:10:42:40
- 44 4/21/2015 - 3105 - Ord Granting ...
Additional Text: EX PARTE MOTION FOR EXTENSION OF TIME - Transaction 4915989 - Approved By: NOREVIEW : 04-21-2015:10:43:08
- 45 4/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4916002 - Approved By: NOREVIEW : 04-21-2015:10:44:03
- 46 4/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4916003 - Approved By: NOREVIEW : 04-21-2015:10:44:13
- 47 4/21/2015 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4916432 - Approved By: NOREVIEW : 04-21-2015:13:40:21
- 48 4/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4916435 - Approved By: NOREVIEW : 04-21-2015:13:41:20
- 49 4/22/2015 - 4302 - Withdrawal ...
Additional Text: WITHDRAWAL OF DEFAULT - Transaction 4919500 - Approved By: YLLOYD : 04-23-2015:10:30:07
- 50 4/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4920115 - Approved By: NOREVIEW : 04-23-2015:10:31:03
- 51 5/7/2015 - 3370 - Order ...
Additional Text: [PLAINTIFF'S INJUNCTIVE RELIEF DENIED - ks]
- 52 5/7/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4942295 - Approved By: NOREVIEW : 05-07-2015:11:03:12
- 53 5/7/2015 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4942944 - Approved By: NOREVIEW : 05-07-2015:13:50:49
- 54 5/7/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4942951 - Approved By: NOREVIEW : 05-07-2015:13:51:51

- 55 5/7/2015 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION TO DISMISS VERIFIED AMENDED COMPLAINT - Transaction 4943900 - Approved By: MCHOLICO : 05-08-2015:09:04:13
- 56 5/8/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4944219 - Approved By: NOREVIEW : 05-08-2015:09:05:07
- 57 5/19/2015 - 3860 - Request for Submission
Additional Text: MOTION TO DISMISS VERIFIED AMENDED COMPLAINT FILED 4/20/15 - Transaction 4959753 - Approved By: CSULEZIC : 05-19-2015:12:27:24
PARTY SUBMITTING: DEL HARDY, ESQ
DATE SUBMITTED: 5/19/15
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 58 5/19/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4960113 - Approved By: NOREVIEW : 05-19-2015:12:28:26
- 59 5/19/2015 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS VERIFIED AMENDED COMPLAINT - Transaction 4960466 - Approved By: MABAKER : 05-19-2015:15:33:36
- 60 5/19/2015 - 3860 - Request for Submission
Additional Text: Transaction 4960466 - Approved By: MABAKER : 05-19-2015:15:33:36
DOCUMENT TITLE: DEFENDANTS' MOTION TO DISMISS VERIFIED AMENDED COMPLAINT (NO PAPER ORDER)
PARTY SUBMITTING: MARK SIMONS ESQ.
DATE SUBMITTED: MAY 19, 2015
SUBMITTED BY: MABAKER
DATE RECEIVED JUDGE OFFICE:
- 61 5/19/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4960946 - Approved By: NOREVIEW : 05-19-2015:15:34:36
- 62 5/22/2015 - 2475 - Mtn to Strike...
Additional Text: MOTION TO STRIKE DEFENDANT'S LATE FILED REPLY - Transaction 4967417 - Approved By: ASMITH : 05-22-2015:16:27:16
- 63 5/22/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4967589 - Approved By: NOREVIEW : 05-22-2015:16:28:16
- 64 6/11/2015 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S LATE-FILED REPLY
- 65 6/15/2015 - 3790 - Reply to/in Opposition
Additional Text: REPLY TO OPPOSITION TO MOTION TO STRIKE DEFENDANTS' LATE-FILED REPLY - Transaction 5000265 - Approved By: YVILORIA : 06-15-2015:13:45:26
- 66 6/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5000551 - Approved By: NOREVIEW : 06-15-2015:13:47:25
- 67 6/15/2015 - 3860 - Request for Submission
Additional Text: Transaction 5000790 - Approved By: YVILORIA : 06-15-2015:15:05:39
DOCUMENT TITLE: PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' LATE-FILED REPLY FILED 5-22-15 AND THE CORRESPONDING OPPOSITION, FILED ON JUNE 11, 2015 AND REPLY TO OPPOSITION FILED JUNE 15, 2015
PARTY SUBMITTING: STEPHANIE RICE, ESQ
DATE SUBMITTED: YVILORIA
SUBMITTED BY: JUNE 15, 2015
DATE RECEIVED JUDGE OFFICE:
- 68 6/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5001021 - Approved By: NOREVIEW : 06-15-2015:15:06:44

- 69 7/2/2015 - 3370 - Order ...
Additional Text: [PLAINTIFF'S MTN TO STRIKE DEFENDANT'S REPLY - DENIED - ks]
- 70 7/2/2015 - 3370 - Order ...
Additional Text: [SET MTN TO DISMISS FOR ORAL ARGMT - ks]
- 71 7/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5029730 - Approved By: NOREVIEW : 07-02-2015:15:38:28
- 72 7/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5029739 - Approved By: NOREVIEW : 07-02-2015:15:39:35
- 73 7/2/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 74 7/2/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 75 7/31/2015 - 4185 - Transcript
Additional Text: ORAL ARGUMENTS - JULY 29, 2015 - Transaction 5072480 - Approved By: NOREVIEW : 07-31-2015:11:23:12
- 76 7/31/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5072487 - Approved By: NOREVIEW : 07-31-2015:11:24:30
- 77 8/3/2015 - 1580 - Demand for Jury
Additional Text: NEVADA RECYCLING AND SALBAGE - Transaction 5074633 - Approved By: YLLOYD : 08-03-2015:15:13:58
- 78 8/3/2015 - JF - **First Day Jury Fees Deposit
Additional Text: Transaction 5074633 - Approved By: YLLOYD : 08-03-2015:15:13:58
- 79 8/3/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$320.00 was made on receipt DCDC509283.
- 80 8/3/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5075118 - Approved By: NOREVIEW : 08-03-2015:15:14:56
- 81 8/4/2015 - MIN - ***Minutes
Additional Text: ORAL ARGUMENTS IN RE: DEFENDANT'S MOTION TO DISMISS THE VERIFIED AMENDED COMPLAINT - 07-29-15 - Transaction 5076178 - Approved By: NOREVIEW : 08-04-2015:09:45:51
- 82 8/4/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5076187 - Approved By: NOREVIEW : 08-04-2015:09:47:01
- 83 8/28/2015 - 3870 - Request
Additional Text: REQUEST TO CONSIDER PLAINTIFFS' PROPOSED ORDER ON MOTION TO DISMISS - Transaction 5118207 - Approved By: MCHOLICO : 08-31-2015:08:43:41
- 84 8/31/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5118436 - Approved By: NOREVIEW : 08-31-2015:08:45:50
- 85 9/2/2015 - 2630 - Objection to ...
Additional Text: OBJECTION TO DEFENDANT'S PROPOSED ORDER - Transaction 5124303 - Approved By: TBRITTON : 09-02-2015:15:46:15
- 86 9/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5124721 - Approved By: NOREVIEW : 09-02-2015:15:47:07

- 87 9/3/2015 - 3370 - Order ...
Additional Text: [GRANTING PLAINTIFFS' REQUEST TO CONSIDER PLAINTIFFS' PROPOSED ORDER TO MTN TO DISMISS - ks]
- 88 9/3/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5125542 - Approved By: NOREVIEW : 09-03-2015:09:28:43
- 89 9/4/2015 - 3880 - Response...
Additional Text: DEFENDANTS' RESPONSE TO PALINTIFFS' OBJECTION TO DEFENDANTS' PROPOSED ORDER
- 90 9/9/2015 - 3795 - Reply...
Additional Text: REPLY TO RESPONSE TO OBJECTION TO DEFENDANTS' PROPOSED ORDER - Transaction 5132646 - Approved By: CSULEZIC : 09-09-2015:13:54:44
- 91 9/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5132929 - Approved By: NOREVIEW : 09-09-2015:13:57:33
- 92 9/9/2015 - 3860 - Request for Submission
Additional Text: PLAINTIFFS OBJECTION TO DEFENDANTS' PROPOSED ORDER FILED 9/02/15 - Transaction 5133056 - Approved By: CSULEZIC : 09-09-2015:15:08:36
PARTY SUBMITTING: DEL HARDY, ESQ
DATE SUBMITTED: 9/09/15
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 93 9/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5133279 - Approved By: NOREVIEW : 09-09-2015:15:09:40
- 94 9/15/2015 - 3105 - Ord Granting ...
Additional Text: DEFENDANTS' MOTION TO DISMISS VERIFIED AMENDED COMPLAINT, IN PART, AND DENYING, IN PART - Transaction 5142580 - Approved By: NOREVIEW : 09-15-2015:15:39:34
- 95 9/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5142588 - Approved By: NOREVIEW : 09-15-2015:15:40:31
- 96 9/15/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 97 9/15/2015 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5142685 - Approved By: NOREVIEW : 09-15-2015:16:01:15
- 98 9/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5142696 - Approved By: NOREVIEW : 09-15-2015:16:02:37
- 99 9/24/2015 - \$2200 - \$Mtn for Summary Judgment
Additional Text: DEFENDANTS' MOTION FOR SUMMARY JUDGEMENT - WASTE MANAGEMENT - Transaction 5156716 - Approved By: CSULEZIC : 09-24-2015:12:55:15
- 100 9/24/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC515468.
- 101 9/24/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5157126 - Approved By: NOREVIEW : 09-24-2015:12:56:22
- 102 10/1/2015 - 2490 - Motion ...
Additional Text: MOTION FOR LEAVE TO FILE AND CONSIDER MOTION FOR RECONSIDERATION AND MOTION FOR RECONSIDERATION - Transaction 5168975 - Approved By: CSULEZIC : 10-02-2015:09:00:03

- 103 10/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5169394 - Approved By: NOREVIEW : 10-02-2015:09:01:07
- 104 10/2/2015 - 1130 - Answer ...
Additional Text: ANSWER TO VERIFIED FIRST AMENDED COMPLAINT - Transaction 5170336 - Approved By: MCHOLICO : 10-02-2015:14:38:18
- 105 10/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5170452 - Approved By: NOREVIEW : 10-02-2015:14:39:07
- 106 10/8/2015 - 2645 - Opposition to Mtn ...
Additional Text: for Summary Judgment - Transaction 5179299 - Approved By: YVILORIA : 10-08-2015:15:17:56
- 107 10/8/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5179529 - Approved By: NOREVIEW : 10-08-2015:15:18:42
- 108 10/14/2015 - 3840 - Request Exemption Arbitration
Additional Text: REQUEST FOR EXEMPTION FROM ARBITRATION - Transaction 5187837 - Approved By: TBRITTON : 10-14-2015:11:13:28
- 109 10/14/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5188031 - Approved By: NOREVIEW : 10-14-2015:11:15:45
- 110 10/16/2015 - 3795 - Reply...
Additional Text: DEFENDANT'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT
- 111 10/16/2015 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (NO PAPER ORDER)
PARTY SUBMITTING: MARK G. SIMONS, ESQ.
DATE SUBMITTED: OCTOBER 16, 2015
SUBMITTED BY: MABAKER
DATE RECEIVED JUDGE OFFICE:
- 112 10/16/2015 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANT'S OPPOSITION TO PLAITIFF'S MOTION FOR LEAVE TO FILE AND CONSIDER MOTION FOR RECONSIDERATION AND MOTION FOR RECONSIDERATION
- 113 10/23/2015 - 3790 - Reply to/in Opposition
Additional Text: REPLY TO OPPOSITION TO MOTION FOR LEAVE TO FILE AND CONSIDER MOTION FOR RECONSIDERATION AND MOTION FOR RECONSIDERATION - Transaction 5204127 - Approved By: TBRITTON : 10-23-2015:13:27:04
- 114 10/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5204250 - Approved By: NOREVIEW : 10-23-2015:13:27:53
- 115 10/23/2015 - 1835 - Joint Case Conference Report
Additional Text: JOINT CASE CONFERENCE REPORT PURSUANT TO NRCP 16.1 - Transaction 5204939 - Approved By: TBRITTON : 10-26-2015:09:18:14
- 116 10/26/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5205323 - Approved By: NOREVIEW : 10-26-2015:09:19:10
- 117 10/28/2015 - 4065 - Subpoena Duces Tecum
Additional Text: SUBPOENA DUCES TECUM DAN R. REASER, ESQ. - Transaction 5211146 - Approved By: MCHOLICO : 10-29-2015:08:36:12
- 118 10/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5211400 - Approved By: NOREVIEW : 10-29-2015:08:37:08
- 119 10/29/2015 - 1067 - Affidavit of Service
Additional Text: DAN R REASER, ESQ - 10/28/15 - Transaction 5212393 - Approved By: RKWATKIN : 10-29-2015:13:29:56

- 120 10/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5212500 - Approved By: NOREVIEW : 10-29-2015:13:30:46
- 121 10/29/2015 - 2195 - Mtn for Stay ...
Additional Text: DEFENDANT'S MOTION TO STAY DISCOVERY - Transaction 5213383 - Approved By: MCHOLICO : 10-29-2015:16:23:22
- 122 10/29/2015 - 1670 - Ex-Parte Mtn...
Additional Text: DEFENDANTS' EX PARTE MOTION FOR ORDER SHORTENING TIME TO RESPOND TO MOTION TO STAY DISCOVERY - Transaction 5213426 - Approved By: MCHOLICO : 10-29-2015:16:27:52
- 123 10/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5213500 - Approved By: NOREVIEW : 10-29-2015:16:26:40
- 124 10/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5213513 - Approved By: NOREVIEW : 10-29-2015:16:28:48
- 125 11/2/2015 - 3245 - Ord Shortening Time
Additional Text: TO RESPOND TO MOTION TO STAY DISCOVERY - Transaction 5214203 - Approved By: NOREVIEW : 11-02-2015:09:51:44
- 126 11/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5214213 - Approved By: NOREVIEW : 11-02-2015:09:52:45
- 127 11/2/2015 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION TO STAY DISCOVERY - Transaction 5214685 - Approved By: MPURDY : 11-02-2015:13:18:31
- 128 11/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5215076 - Approved By: NOREVIEW : 11-02-2015:13:22:01
- 129 11/6/2015 - A120 - Exemption from Arbitration
Additional Text: Transaction 5224711 - Approved By: NOREVIEW : 11-06-2015:13:49:20
- 130 11/6/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5224718 - Approved By: NOREVIEW : 11-06-2015:13:50:15
- 131 11/6/2015 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY IN SUPPORT OF MOTION TO STAY DISCOVERY - Transaction 5224767 - Approved By: MCHOLICO : 11-06-2015:14:17:30
- 132 11/6/2015 - 3860 - Request for Submission
Additional Text: DEFENDANTS' MOTION TO STAY DISCOVERY (NO PAPER ORDER PROVIDED) - Transaction 5224777 - Approved By: MCHOLICO : 11-06-2015:14:19:32
PARTY SUBMITTING: SCOTT HERNANDEZ, ESQ.
DATE SUBMITTED: 11/6/15
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 133 11/6/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5224880 - Approved By: NOREVIEW : 11-06-2015:14:18:26
- 134 11/6/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5224888 - Approved By: NOREVIEW : 11-06-2015:14:20:26
- 135 11/6/2015 - 3696 - Pre-Trial Order
Additional Text: Transaction 5225253 - Approved By: NOREVIEW : 11-06-2015:16:05:27

- 136 11/6/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5225258 - Approved By: NOREVIEW : 11-06-2015:16:06:27
- 137 11/17/2015 - 1250E - Application for Setting eFile
Additional Text: Unfair Business Practices
MPTC - 02.03.16 - 1:15 p.m.
PTC - 11.29.16 - 1:15 p.m.
Trial - 12.12.16 - 9:30 a.m. [#1/10 day jury]
Attys:
P: Del Hardy, Esq., Stephanie Rice, Esq. - 786.5800
D: Mark Simons, Esq., Scott Hernandez, Esq. - 329.3151
- 138 11/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5238700 - Approved By: NOREVIEW : 11-17-2015:11:17:06
- 139 11/20/2015 - 2405 - Mtn to Quash...
Additional Text: NON-PARTY CASTAWAY TRASH HAULING, INC.'S MOTION TO QUASH SUBPOENA DUCES TECUM AND FOR PROTECTIVE ORDER - Transaction 5245706 - Approved By: MCHOLICO : 11-20-2015:11:37:43
- 140 11/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5245826 - Approved By: NOREVIEW : 11-20-2015:11:38:35
- 141 12/3/2015 - 4055 - Subpoena
Additional Text: GREG MARTINELLI - 12/18/15 @10:00 - Transaction 5262488 - Approved By: CSULEZIC : 12-03-2015:15:47:36
- 142 12/3/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5262726 - Approved By: NOREVIEW : 12-03-2015:15:48:37
- 143 12/4/2015 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION TO QUASH SUBPOENA DUCES TECUM AND FOR PROTECTIVE ORDER - Transaction 5264916 - Approved By: MCHOLICO : 12-04-2015:16:24:35
- 144 12/4/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5265003 - Approved By: NOREVIEW : 12-04-2015:16:25:29
- 145 12/7/2015 - 1067 - Affidavit of Service
Additional Text: Transaction 5267025 - Approved By: MFERNAND : 12-07-2015:15:51:44
- 146 12/7/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5267157 - Approved By: NOREVIEW : 12-07-2015:15:52:44
- 147 12/7/2015 - 3370 - Order ...
Additional Text: [DEFENDANTS' MTN FOR SUMMARY JUDGMENT IS DISMISSED W/OUT PREJUDICE; DEFENDANTS' MTN TO STAY DISCOVERY IS DENIED - ks]
- 148 12/7/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5267403 - Approved By: NOREVIEW : 12-07-2015:16:52:12
- 149 12/7/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 150 12/7/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 151 12/8/2015 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5267692 - Approved By: NOREVIEW : 12-08-2015:08:36:27

- 152 12/8/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5267696 - Approved By: NOREVIEW : 12-08-2015:08:37:21
- 153 12/8/2015 - 2520 - Notice of Appearance
Additional Text: LESLIE BRYAN HART, ESQ. OBO NON-PARY CASTAWAY TRASH HAULING, INC. - Transaction 5269239 - Approved By: MFERNAND : 12-08-2015:16:08:47
- 154 12/8/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5269573 - Approved By: NOREVIEW : 12-08-2015:16:09:50
- 155 12/14/2015 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO QUASH SUBPOENA DUCES TECUM AND FOR PROTECTIVE ORDER - Transaction 5278270 - Approved By: MCHOLICO : 12-15-2015:09:32:57
- 156 12/14/2015 - 3860 - Request for Submission
Additional Text: NON-PARTY CASTAWAY TRASH HAULING, INC MOTION TO QUASH SUBPOENA DUCES TECUM AND FOR PROTECTIVE ORDER (NO PAPER ORDER PROVIDED) - Transaction 5278275 - Approved By: MCHOLICO : 12-15-2015:09:42:04
PARTY SUBMITTING: LESLIE HART, ESQ.
DATE SUBMITTED: 12/14/15
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 157 12/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5278463 - Approved By: NOREVIEW : 12-15-2015:09:33:57
- 158 12/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5278506 - Approved By: NOREVIEW : 12-15-2015:09:43:06
- 159 12/15/2015 - 4055 - Subpoena
Additional Text: Transaction 5279266 - Approved By: MCHOLICO : 12-15-2015:12:20:04
- 160 12/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5279318 - Approved By: NOREVIEW : 12-15-2015:12:20:54
- 161 12/16/2015 - 1067 - Affidavit of Service
Additional Text: UPON MR. DAVID ALAZZI - DECEMBER 15, 2015 AT 11:40 AM - Transaction 5280697 - Approved By: YVILORIA : 12-16-2015:09:40:27
- 162 12/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5280768 - Approved By: NOREVIEW : 12-16-2015:09:41:33
- 163 12/17/2015 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF TAKING DEPOSITION OF GREG M. MARTINELLI - Transaction 5284249 - Approved By: CSULEZIC : 12-17-2015:16:12:27
- 164 12/17/2015 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF DEPOSITION OF DAVID AIAZZI - Transaction 5284253 - Approved By: CSULEZIC : 12-17-2015:16:13:33
- 165 12/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5284520 - Approved By: NOREVIEW : 12-17-2015:16:13:32
- 166 12/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5284532 - Approved By: NOREVIEW : 12-17-2015:16:14:41
- 167 12/28/2015 - 2520 - Notice of Appearance
Additional Text: DEL HARDY ESQ / PLTF AMCB, LLC - Transaction 5295527 - Approved By: YVILORIA : 12-28-2015:14:17:41

- 168 12/28/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5295569 - Approved By: NOREVIEW : 12-28-2015:14:18:45
- 169 1/7/2016 - 4055 - Subpoena
Additional Text: SPIKE DUQUE - JANUARY 12, 2015 AT 10:00 AM - Transaction 5308696 - Approved By: YVILORIA : 01-07-2016:08:55:50
- 170 1/7/2016 - 1067 - Affidavit of Service
Additional Text: SPIKE DUQUE 01/01/16 - Transaction 5308709 - Approved By: CSULEZIC : 01-07-2016:08:53:02
- 171 1/7/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5308775 - Approved By: NOREVIEW : 01-07-2016:08:54:00
- 172 1/7/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5308795 - Approved By: NOREVIEW : 01-07-2016:08:56:50
- 173 1/22/2016 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 5333099 - Approved By: CSULEZIC : 01-22-2016:16:00:08
- 174 1/22/2016 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF TAKING 30(B)(6) DEPOSITION OF NEVADA RECYCLING AND SALVAGE LTC - Transaction 5333107 - Approved By: CSULEZIC : 01-22-2016:16:09:24
- 175 1/22/2016 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF TAKING 30(B)(6) DEPOSITION OF AMCB, LLC DBA RUBBISH RUNNERS - Transaction 5333115 - Approved By: CSULEZIC : 01-22-2016:16:11:42
- 176 1/22/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5333197 - Approved By: NOREVIEW : 01-22-2016:16:01:09
- 177 1/22/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5333226 - Approved By: NOREVIEW : 01-22-2016:16:10:30
- 178 1/22/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5333231 - Approved By: NOREVIEW : 01-22-2016:16:12:40
- 179 1/26/2016 - FIE - **Document Filed in Error
Additional Text: 1/27/16-mc
(document had the wrong parties listed, but correct case number)
- 180 1/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5338146 - Approved By: NOREVIEW : 01-26-2016:16:35:27
(Document that NEF applies to has been filed in error)
- 181 1/27/2016 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING DEPOSITIONS - Transaction 5340213 - Approved By: MCHOLICO : 01-27-2016:16:00:20
- 182 1/27/2016 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING 30(B)(6) DEPOSITION OF AMCB, LLC dba RUBBISH RUNNERS - Transaction 5340223 - Approved By: MCHOLICO : 01-27-2016:16:02:12
- 183 1/27/2016 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING 30(B)(6) DEPOSITION OF NEVADA RECYCLING AND SALVAGE, LTC. - Transaction 5340238 - Approved By: CCOVINGT : 01-27-2016:15:53:31
- 184 1/27/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5340449 - Approved By: NOREVIEW : 01-27-2016:15:54:22

185 1/27/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5340494 - Approved By: NOREVIEW : 01-27-2016:16:01:06

186 1/27/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5340505 - Approved By: NOREVIEW : 01-27-2016:16:03:09

187 1/29/2016 - 3915 - Scheduling Order
Additional Text: Transaction 5344246 - Approved By: NOREVIEW : 01-29-2016:11:27:05

188 1/29/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5344250 - Approved By: NOREVIEW : 01-29-2016:11:27:56

189 1/29/2016 - MIN - ***Minutes
Additional Text: STATUS HEARING - Transaction 5345228 - Approved By: NOREVIEW : 01-29-2016:16:45:17

190 1/29/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5345236 - Approved By: NOREVIEW : 01-29-2016:16:46:20

191 2/1/2016 - 2610 - Notice ...
Additional Text: NOTICE OF CHANGE OF FIRM NAME AND EMAIL ADDRESS - Transaction 5346072 - Approved By: CSULEZIC : 02-01-2016:13:07:43

192 2/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5346369 - Approved By: NOREVIEW : 02-01-2016:13:10:34

193 2/10/2016 - 2165 - Mtn for Protective Ord
Additional Text: DEFENDANTS' MOTION FOR A PROTECTIVE ORDER - Transaction 5362302 - Approved By: MFERNAND : 02-10-2016:10:29:36

194 2/10/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5362372 - Approved By: NOREVIEW : 02-10-2016:10:31:24

195 2/11/2016 - 1945 - Master's Recommendation/Ord
Additional Text: RECOMMENDATION FOR ORDER - Transaction 5365134 - Approved By: NOREVIEW : 02-11-2016:10:54:12

196 2/11/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5365143 - Approved By: NOREVIEW : 02-11-2016:10:55:08

197 2/11/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.

198 2/18/2016 - 4055 - Subpoena
Additional Text: Transaction 5374032 - Approved By: MCHOLICO : 02-18-2016:09:45:53

199 2/18/2016 - 4055 - Subpoena
Additional Text: Transaction 5374041 - Approved By: MCHOLICO : 02-18-2016:09:47:08

200 2/18/2016 - 4055 - Subpoena
Additional Text: Transaction 5374041 - Approved By: MCHOLICO : 02-18-2016:09:47:08

201 2/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5374171 - Approved By: NOREVIEW : 02-18-2016:09:47:58

202 2/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5374181 - Approved By: NOREVIEW : 02-18-2016:09:48:52

- 203 2/19/2016 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR PROTECTIVE ORDER - Transaction 5377351 - Approved By: MCHOLICO : 02-19-2016:16:33:14
- 204 2/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5378271 - Approved By: NOREVIEW : 02-19-2016:16:34:34
- 205 2/29/2016 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF DEFENDANT'S MOTION FOR A PROTECTIVE ORDER - Transaction 5391720 - Approved By: YVILORIA : 02-29-2016:14:20:26
- 206 2/29/2016 - 3860 - Request for Submission
Additional Text: Transaction 5391720 - Approved By: YVILORIA : 02-29-2016:14:20:26
DOCUMENT TITLE: DEFT'S MOTION FOR A PROTECTIVE ORDER FILED 2-10-16
PARTY SUBMITTING: MARK G. SIMONS ESQ
DATE SUBMITTED: FEBRUARY 29, 2016
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:
- 207 2/29/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5392030 - Approved By: NOREVIEW : 02-29-2016:14:21:30
- 208 3/23/2016 - 3370 - Order ...
Additional Text: [MTN FOR PROTECTIVE ORDER IS DENIED - ks] - Transaction 5432692 - Approved By: NOREVIEW : 03-23-2016:16:35:38
- 209 3/23/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5432694 - Approved By: NOREVIEW : 03-23-2016:16:36:31
- 210 3/23/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 211 3/23/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5432756 - Approved By: NOREVIEW : 03-23-2016:16:53:39
- 212 3/23/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5432759 - Approved By: NOREVIEW : 03-23-2016:16:54:30
- 213 3/25/2016 - 2035 - Mtn Clarification of Ord
Additional Text: MOTION FOR CLARIFICATION OF COURT'S MARCH 23, 2013 ORDER - Transaction 5435922 - Approved By: CSULEZIC : 03-25-2016:12:47:58
- 214 3/25/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5436142 - Approved By: NOREVIEW : 03-25-2016:12:48:56
- 215 3/29/2016 - 3980 - Stip and Order...
Additional Text: STIPULATED CONFIDENTIALITY AGREEMENT PROTECTIVE ORDER - Transaction 5439798 - Approved By: NOREVIEW : 03-29-2016:11:41:57
- 216 3/29/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5439802 - Approved By: NOREVIEW : 03-29-2016:11:42:57
- 217 3/29/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5440401 - Approved By: NOREVIEW : 03-29-2016:14:48:04
- 218 3/29/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5440409 - Approved By: NOREVIEW : 03-29-2016:14:49:07

- 219 3/30/2016 - 2520 - Notice of Appearance
Additional Text: THERESE M. SHANKS, ESQ / DEFTS RENO DISPOSAL CO, INC. DBA WASTE MANAGEMENT; REFUSE INC - Transaction 5442238 - Approved By: YVILORIA : 03-30-2016:14:40:38
- 220 3/30/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5442294 - Approved By: NOREVIEW : 03-30-2016:14:41:38
- 221 4/5/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR CLARIFICATION OF COURT'S MARCH 23, 2013(2016?) ORDER - Transaction 5451501 - Approved By: CSULEZIC : 04-05-2016:16:52:34
- 222 4/5/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5451536 - Approved By: NOREVIEW : 04-05-2016:16:53:30
- 223 4/13/2016 - 3795 - Reply...
Additional Text: REPLY TO OPPOSITION TO MOTION FOR CLARIFICATION OF COURT'S MARCH 23, 2016 ORDER - Transaction 5464018 - Approved By: MCHOLICO : 04-13-2016:13:47:24
- 224 4/13/2016 - 3860 - Request for Submission
Additional Text: DEFENDANTS' MOTION FOR CLARIFICATION OF COURT'S MARCH 23, 2016 ORDER - Transaction 5464018 - Approved By: MCHOLICO : 04-13-2016:13:47:24
PARTY SUBMITTING: MARK SIMONS, ESQ.
DATE SUBMITTED: 04/13/16
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 225 4/13/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5464038 - Approved By: NOREVIEW : 04-13-2016:13:48:28
- 226 4/15/2016 - 2490 - Motion ...
Additional Text: PLAINTIFF'S MOTION TO AMEND COMPLAINT - Transaction 5468149 - Approved By: YVILORIA : 04-15-2016:09:53:54
- 227 4/15/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5468212 - Approved By: NOREVIEW : 04-15-2016:09:55:51
- 228 4/19/2016 - 2842 - Ord Denying Motion
Additional Text: ORDER DENYING MOTION FOR CLARIFICATION OF COURT'S MARCH 23, 2013 (sic) ORDER - Transaction 5473949 - Approved By: NOREVIEW : 04-19-2016:14:15:26
- 229 4/19/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 230 4/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5473953 - Approved By: NOREVIEW : 04-19-2016:14:16:27
- 231 4/19/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5474782 - Approved By: NOREVIEW : 04-19-2016:16:51:03
- 232 4/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5474793 - Approved By: NOREVIEW : 04-19-2016:16:52:16
- 233 4/29/2016 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF NRCP 30(b)(6) DEPOSITION OF RENO DISPOSAL COMPANY INC. - Transaction 5491386 - Approved By: YVILORIA : 04-29-2016:12:26:01
- 234 4/29/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5491504 - Approved By: NOREVIEW : 04-29-2016:12:26:56

- 235 5/2/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO PLAINTIFFS' MOTION TO AMEND COMPLAINT - Transaction 5494671 - Approved By: MCHOLICO : 05-02-2016:16:44:43
- 236 5/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5494976 - Approved By: NOREVIEW : 05-02-2016:16:45:41
- 237 5/3/2016 - 4055 - Subpoena
Additional Text: Transaction 5496519 - Approved By: YVILORIA : 05-03-2016:15:16:44
- 238 5/3/2016 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF TAKING DEPOSITION OF GARY W. DUHON ESQ - Transaction 5496524 - Approved By: YVILORIA : 05-03-2016:15:17:06
- 239 5/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5496853 - Approved By: NOREVIEW : 05-03-2016:15:17:35
- 240 5/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5496855 - Approved By: NOREVIEW : 05-03-2016:15:17:56
- 241 5/4/2016 - 1067 - Affidavit of Service
Additional Text: GARY W. DUHON, ESQ ON 05/02/16 - Transaction 5499261 - Approved By: SWOLFE : 05-04-2016:15:04:28
- 242 5/4/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5499368 - Approved By: NOREVIEW : 05-04-2016:15:05:25
- 243 5/9/2016 - 3790 - Reply to/in Opposition
Additional Text: REPLY TO OPPOSITION TO PLAINTIFFS' MOTION TO AMEND COMPLAINT - Transaction 5506260 - Approved By: YVILORIA : 05-09-2016:15:45:58
- 244 5/9/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5506526 - Approved By: NOREVIEW : 05-09-2016:15:46:51
- 245 5/9/2016 - 3860 - Request for Submission
Additional Text: PLAINTIFF'S MOTION TO AMEND COMPLAINT FILED 04/15/16 - Transaction 5506795 - Approved By: SWOLFE : 05-09-2016:16:47:49
PARTY SUBMITTING: STEPHANIE RICE, ESQ.
DATE SUBMITTED: 05/09/16
SUBMITTED BY: SWOLFE
DATE RECEIVED JUDGE OFFICE:
- 246 5/9/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5506825 - Approved By: NOREVIEW : 05-09-2016:16:48:46
- 247 5/10/2016 - 2490 - Motion ...
Additional Text: MOTION FOR LEAVE TO EXCEED PAGE LIMITS - Transaction 5508550 - Approved By: MFERNAND : 05-10-2016:16:27:51
- 248 5/10/2016 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME TO RESPOND TO MOTION FOR LEAVE TO EXCEED PAGE LIMITS - Transaction 5508555 - Approved By: TBRIITON : 05-10-2016:16:04:02
- 249 5/10/2016 - \$2200 - \$Mtn for Summary Judgment
Additional Text: DEFENDANTS' SECOND MOTION FOR SUMMARY JUDGMENT RE: LIABILITY - Transaction 5508600 - Approved By: CSULEZIC : 05-11-2016:08:30:52
- 250 5/10/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5508827 - Approved By: NOREVIEW : 05-10-2016:16:05:34

- 251 5/10/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5508981 - Approved By: NOREVIEW : 05-10-2016:16:29:07
- 252 5/11/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC539738.
- 253 5/11/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5509227 - Approved By: NOREVIEW : 05-11-2016:08:32:07
- 254 5/11/2016 - \$2200 - \$Mtn for Summary Judgment
Additional Text: DEFENDANTS' MOTION FOR SUMMARY JUDGMENT RE: DAMAGES - Transaction 5510180 - Approved By: CSULEZIC : 05-11-2016:14:18:47
- 255 5/11/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC540013.
- 256 5/11/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5510454 - Approved By: NOREVIEW : 05-11-2016:14:19:51
- 257 5/11/2016 - 3245 - Ord Shortening Time
Additional Text: TO RESPOND TO DEFENDANTS' MOTION FOR LEAVE TO EXCEED PAGE LIMITS - Transaction 5511269 - Approved By: NOREVIEW : 05-11-2016:16:32:37
- 258 5/11/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5511278 - Approved By: NOREVIEW : 05-11-2016:16:33:44
- 259 5/12/2016 - 2545 - Notice of Entry ...
Additional Text: Transaction 5511856 - Approved By: NOREVIEW : 05-12-2016:09:39:32
- 260 5/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5511860 - Approved By: NOREVIEW : 05-12-2016:09:41:46
- 261 5/12/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANT'S MOTION FOR LEAVE TO EXCEED PAGE LIMITS - Transaction 5513248 - Approved By: CSULEZIC : 05-13-2016:08:55:15
- 262 5/13/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5513978 - Approved By: NOREVIEW : 05-13-2016:08:56:02
- 263 5/13/2016 - 1650 - Errata...
Additional Text: ERRATA TO DEFENDANTS' SECOND MOTION FOR SUMMARY JUDGMENT RE: LIABILITY - Transaction 5514463 - Approved By: YVILORIA : 05-13-2016:11:35:49
- 264 5/13/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5514665 - Approved By: NOREVIEW : 05-13-2016:11:36:52
- 265 5/13/2016 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY TO OPPOSITION TO MOTION FOR LEAVE TO EXCEED PAGE LIMITS - Transaction 5515141 - Approved By: CCOVINGT : 05-13-2016:15:04:04
- 266 5/13/2016 - 3860 - Request for Submission
Additional Text: - Transaction 5515141 - Approved By: CCOVINGT : 05-13-2016:15:04:04
DOCUMENT TITLE: DEFENDANTS' MOTION FOR LEAVE TO EXCEED PAGE LIMITS FILED ON 5/10/16
PARTY SUBMITTING: MARK SIMONS, ESQ.
DATE SUBMITTED: 5/13/16
SUBMITTED BY: CCOVINGTON
DATE RECEIVED JUDGE OFFICE:

- 267 5/13/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5515299 - Approved By: NOREVIEW : 05-13-2016:15:05:02
- 268 5/20/2016 - 2630 - Objection to ...
Additional Text: RENO DISPOSAL'S OBJECTION TO PLAINTIFFS' NOTICE OF NRCP 30(b)(6) DEPOSITION OF RENO DISPOSAL COMPANY, INC. - Transaction 5526279 - Approved By: RKWATKIN : 05-20-2016:16:39:47
- 269 5/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5526632 - Approved By: NOREVIEW : 05-20-2016:16:43:17
- 270 5/25/2016 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT RE: DAMAGES - Transaction 5533370 - Approved By: RKWATKIN : 05-26-2016:08:34:53
- 271 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5533630 - Approved By: NOREVIEW : 05-26-2016:08:35:50
- 272 5/26/2016 - 3370 - Order ...
Additional Text: [GRANTING DEFENDANT'S MTN FOR LEAVE TO EXCEED PAGE LIMITS - ks] - Transaction 5534734 - Approved By: NOREVIEW : 05-26-2016:13:49:56
- 273 5/26/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 274 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5534737 - Approved By: NOREVIEW : 05-26-2016:13:52:37
- 275 5/26/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5535151 - Approved By: NOREVIEW : 05-26-2016:15:11:12
- 276 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5535159 - Approved By: NOREVIEW : 05-26-2016:15:12:03
- 277 6/2/2016 - 3795 - Reply...
Additional Text: DEFENDANT'S REPLY TO OPPOSITION TO MOTION FOR SUMMARY JUDGMENT RE: DAMAGES - Transaction 5544005 - Approved By: CSULEZIC : 06-02-2016:15:22:35
- 278 6/2/2016 - 3860 - Request for Submission
Additional Text: DEFENDANT'S MOTION FOR SUMMARY JUDGMENT RE: DAMAGES FILED 5/11/16 - Transaction 5544005 - Approved By: CSULEZIC : 06-02-2016:15:22:35
PARTY SUBMITTING: MARK SIMONS, ESQ
DATE SUBMITTED: 6/02/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 279 6/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5544363 - Approved By: NOREVIEW : 06-02-2016:15:23:42
- 280 6/7/2016 - 3370 - Order ...
Additional Text: [PLAINTIFF'S MTN TO AMEND COMPLAINT GRANTED - ks] - Transaction 5549444 - Approved By: NOREVIEW : 06-07-2016:09:08:57
- 281 6/7/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5549460 - Approved By: NOREVIEW : 06-07-2016:09:10:04
- 282 6/7/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 283 6/7/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5549978 - Approved By: NOREVIEW : 06-07-2016:11:06:34
- 284 6/7/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5549985 - Approved By: NOREVIEW : 06-07-2016:11:07:31
- 285 6/8/2016 - 1090 - Amended Complaint
Additional Text: SECOND AMENDED COMPLAINT - Transaction 5552624 - Approved By: RKWATKIN : 06-08-2016:13:49:51
- 286 6/8/2016 - 4090 - ** Summons Issued
No additional text exists for this entry.
- 287 6/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5552891 - Approved By: NOREVIEW : 06-08-2016:13:50:49
- 288 6/9/2016 - 4085 - Summons Filed
Additional Text: Transaction 5554983 - Approved By: CSULEZIC : 06-09-2016:13:57:43
- 289 6/9/2016 - 1005 - Acceptance of Service
Additional Text: MARK SIMONS, ESQ OBO WASTE MANAGEMENT - Transaction 5554984 - Approved By: CSULEZIC : 06-09-2016:13:58:26
- 290 6/9/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5555293 - Approved By: NOREVIEW : 06-09-2016:13:58:42
- 291 6/9/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5555299 - Approved By: NOREVIEW : 06-09-2016:13:59:26
- 292 6/10/2016 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFFS' OPPOSITION TO MOTION FOR SUMMARY JUDGMENT RE: LIABILITY - Transaction 5558063 - Approved By: CSULEZIC : 06-13-2016:11:50:42
- 293 6/13/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5559166 - Approved By: NOREVIEW : 06-13-2016:11:51:45
- 294 6/14/2016 - 3720 - Proof of Service
Additional Text: Transaction 5561013 - Approved By: CSULEZIC : 06-14-2016:13:43:40
- 295 6/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5561349 - Approved By: NOREVIEW : 06-14-2016:13:44:34
- 296 6/14/2016 - 1700 - Expert Witness List
Additional Text: PLAINTIFF'S JOINT EXPERT DISCLOSURE - Transaction 5561964 - Approved By: RKWATKIN : 06-15-2016:08:36:36
- 297 6/15/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5562341 - Approved By: NOREVIEW : 06-15-2016:08:37:23
- 298 6/15/2016 - 1140 - Answer to Amended Complaint
Additional Text: ANSWER TO SECOND AMENDED COMPLAINT - Transaction 5563063 - Approved By: CSULEZIC : 06-15-2016:13:19:56
- 299 6/15/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5563403 - Approved By: NOREVIEW : 06-15-2016:13:20:44
- 300 6/16/2016 - \$2200 - \$Mtn for Summary Judgment
Additional Text: WASTE MANAGEMENT OF NEVADA, INC.'S JOINDER IN DEFENDANTS' SECOND MOTION FOR SUMMARY JUDGMENT RE: LIABILITY - Transaction 5566471 - Approved By: CSULEZIC : 06-17-2016:08:23:21

- 301 6/16/2016 - \$2200 - \$Mtn for Summary Judgment
Additional Text: WASTE MANAGEMENT OF NEVADA. INC.'S JOINDER IN DEFEDANTS' MOTION FOR SUMMARY JUDGMENT RE: DAMAGES - Transaction 5566471 - Approved By: CSULEZIC : 06-17-2016:08:23:21
- 302 6/17/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$400.00 was made on receipt DCDC543639.
- 303 6/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5566859 - Approved By: NOREVIEW : 06-17-2016:08:24:15
- 304 6/20/2016 - 3860 - Request for Submission
Additional Text: MOTION FOR SUMMARY JUDGMENT RE: LIABILITY FILED 5/10/16 - Transaction 5569478 - Approved By: CSULEZIC : 06-20-2016:11:47:42
PARTY SUBMITTING: DEL HARDY, ESQ
DATE SUBMITTED: 6/20/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 305 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5569651 - Approved By: NOREVIEW : 06-20-2016:11:48:44
- 306 6/20/2016 - 2490 - Motion ...
Additional Text: MOTION TO DISREGARD REQUEST FOR SUBMISSION - Transaction 5569764 - Approved By: CSULEZIC : 06-20-2016:13:54:30
- 307 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5570045 - Approved By: NOREVIEW : 06-20-2016:13:55:25
- 308 6/20/2016 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY TO OPPOSITION TO SECOND MOTION FOR SUMMARY JUDGMENT RE: LIABILITY - Transaction 5570197 - Approved By: RKWATKIN : 06-20-2016:16:00:58
- 309 6/20/2016 - 3860 - Request for Submission
Additional Text: Transaction 5570197 - Approved By: RKWATKIN : 06-20-2016:16:00:58
DOCUMENT TITLE: SECOND MOTION FOR SUMMARY JUDGMENT RE: LIABILITY (NO ORDER)
PARTY SUBMITTING: MARK SIMONS, ESQ
DATE SUBMITTED: 6/20/16
SUBMITTED BY: RKWATKIN
DATE RECEIVED JUDGE OFFICE:
- 310 6/20/2016 - S200 - Request for Submission Complet
Additional Text: [06.20.16 - MTN TO DISREGARD REQ FOR SUBMISSION RE MSJ - LIABILITY - ks]
- 311 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5570712 - Approved By: NOREVIEW : 06-20-2016:16:04:28
- 312 6/20/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION TO DISREGARD REQUEST FOR SUBMISSION AND REQUEST FOR SANCTIONS - Transaction 5570956 - Approved By: RKWATKIN : 06-21-2016:08:18:58
- 313 6/21/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5571153 - Approved By: NOREVIEW : 06-21-2016:08:20:58
- 314 6/21/2016 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO DISREGARD REQUEST FOR SUBMISSION - Transaction 5571409 - Approved By: RKWATKIN : 06-21-2016:10:19:13
- 315 6/21/2016 - 3860 - Request for Submission

Additional Text: Transaction 5571409 - Approved By: RKWATKIN : 06-21-2016:10:19:13
DOCUMENT TITLE: MOTION TO DISREGARD REQUEST FOR SUBMISSION (NO ORDER)
PARTY SUBMITTING: MARK SIMONS, ESQ
DATE SUBMITTED: 6/21/16
SUBMITTED BY: RKWATKIN
DATE RECEIVED JUDGE OFFICE:

316 6/21/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5571620 - Approved By: NOREVIEW : 06-21-2016:10:20:08

317 6/30/2016 - 2650 - Opposition to ...

Additional Text: PLAINTIFF'S JOINT OPPOSITION TO WASTE MANAGMENT OF NEVADA, INC'S JOINDER IN DEFENDANT'S MOTION FOR SUMMARY JUDGMENT RE: LIABILITY AND DEFENDANTS' MOTION FOR SUMMARY JUDGMENT RE: DAMAGES - Transaction 5589654 - Approved By: MABAKER : 07-01-2016:09:08:19

318 7/1/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5589969 - Approved By: NOREVIEW : 07-01-2016:09:09:21

319 7/5/2016 - 4065 - Subpoena Duces Tecum

Additional Text: DAN R. REASER, ESQ. SERVED ON JUNE 30, 2016 - Transaction 5592330 - Approved By: TBRITTON : 07-05-2016:13:04:12

320 7/5/2016 - 1067 - Affidavit of Service

Additional Text: DAN R. REASER, ESQ. SERVED ON JUNE 30, 2016 - Transaction 5592330 - Approved By: TBRITTON : 07-05-2016:13:04:12

321 7/5/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5592749 - Approved By: NOREVIEW : 07-05-2016:13:07:11

322 7/7/2016 - 3795 - Reply...

Additional Text: DEFENDANT WASTE MANAGEMENT OF NEVADA, INC.'S REPLY IN SUPPORT OF ITS JOINDER IN DEFENDANTS' MOTION FOR SUMMARY JUDGMENT RE DAMAGES - Transaction 5596927 - Approved By: SWOLFE : 07-07-2016:13:44:33

323 7/7/2016 - 3795 - Reply...

Additional Text: DEFENDANT WASTE MANAGEMENT OF NEVADA, INC.'S REPLY IN SUPPORT OF ITS JOINDER IN DEFENDANTS' SECOND MOTION FOR SUMMARY JUDGMENT RE LIABILITY - Transaction 5596927 - Approved By: SWOLFE : 07-07-2016:13:44:33

324 7/7/2016 - 3870 - Request

Additional Text: REQUEST FOR ORAL ARGUEMENT - Transaction 5596927 - Approved By: SWOLFE : 07-07-2016:13:44:33

325 7/7/2016 - 3860 - Request for Submission

Additional Text: DEFENDANT'S MOTION FOR SUMMARY JUDGMENT RE: DAMAGES FILED 6/16/16 - Transaction 5596927 - Approved By: SWOLFE : 07-07-2016:13:44:33
PARTY SUBMITTING: MARK G SIMONS, ESQ
DATE SUBMITTED: 7/7/16
SUBMITTED BY: SWOLFE
DATE RECEIVED JUDGE OFFICE:

326 7/7/2016 - 3860 - Request for Submission

Additional Text: DEFENDANT'S SECOND MOTION FOR SUMMARY JUDGMENT RE: LIABILITY FILED 6/16/16 - Transaction 5596927 - Approved By: SWOLFE : 07-07-2016:13:44:33
PARTY SUBMITTING: MARK G SIMONS, ESQ
DATE SUBMITTED: 07/07/16
SUBMITTED BY: SWOLFE
DATE RECEIVED JUDGE OFFICE:

327 7/7/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5597882 - Approved By: NOREVIEW : 07-07-2016:13:45:36

328 7/12/2016 - 3370 - Order ...

Additional Text: [SET MTNS FOR ORAL ARGMT - ks] - Transaction 5604333 - Approved By: NOREVIEW : 07-12-2016:14:03:17

- 329 7/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5604337 - Approved By: NOREVIEW : 07-12-2016:14:04:19
- 330 7/12/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 331 7/12/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 332 7/12/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 333 7/12/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 334 7/12/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 335 7/13/2016 - 4055 - Subpoena
Additional Text: Transaction 5606939 - Approved By: RKWATKIN : 07-14-2016:08:15:52
- 336 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5607706 - Approved By: NOREVIEW : 07-14-2016:08:16:41
- 337 7/14/2016 - 2145 - Mtn Ord to Show Cause
Additional Text: DEFENDANTS MOTION FOR AN ORDER TO SHOW CAUSE WHY PLAINTIFFS, STEPHANIE RICE ESQ AND CHRIS BIESLER SHOULD NOT BE HELD IN CONTEMPT - Transaction 5608151 - Approved By: CSULEZIC : 07-14-2016:11:13:15
- 338 7/14/2016 - 2185 - Mtn for Sanctions
Additional Text: DEFENDANTS MOTION FOR TERMINATING SANCTIONS - Transaction 5608151 - Approved By: CSULEZIC : 07-14-2016:11:13:15
- 339 7/14/2016 - 2165 - Mtn for Protective Ord
Additional Text: DEFENDANTS' MOTION FOR A PROTECTIVE ORDER PRECLUDING FURTHER DISCOVERY - Transaction 5608151 - Approved By: CSULEZIC : 07-14-2016:11:13:15
- 340 7/14/2016 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME TO RESPOND TO DEFENDANTS' MOTION FOR AN ORDER TO SHOW CAUSE WHY PLAINTIFFS, STEPHANIE RICE, ESQ. AND CHRIS BIESLER SHOULD NOT BE HELD IN CONTEMPT - Transaction 5608225 - Approved By: CSULEZIC : 07-14-2016:11:17:16
- 341 7/14/2016 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME TO RESPOND TO DEFENDANTS' MOTION FOR TERMINATING SANCTIONS - Transaction 5608225 - Approved By: CSULEZIC : 07-14-2016:11:17:16
- 342 7/14/2016 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME TO RESPOND TO DEFENDANTS' MOTION FOR PROTECTIVE ORDER PRECLUDING FURTHER DISCOVERY - Transaction 5608225 - Approved By: CSULEZIC : 07-14-2016:11:17:16
- 343 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5608363 - Approved By: NOREVIEW : 07-14-2016:11:14:38
- 344 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5608394 - Approved By: NOREVIEW : 07-14-2016:11:20:27
- 345 7/14/2016 - 3245 - Ord Shortening Time
Additional Text: [RE DEFENDANT'S MTN FOR OSC - ks] - Transaction 5609452 - Approved By: NOREVIEW : 07-14-2016:15:21:17

346 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5609456 - Approved By: NOREVIEW : 07-14-2016:15:22:18

347 7/14/2016 - 3245 - Ord Shortening Time
Additional Text: [RE DEFENDANT'S MTN FOR PROTECTIVE ORDER PRECLUDING FURTHER DISC - ks] - Transaction 5609464 - Approved By: NOREVIEW : 07-14-2016:15:23:32

348 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5609476 - Approved By: NOREVIEW : 07-14-2016:15:24:42

349 7/14/2016 - 3245 - Ord Shortening Time
Additional Text: [RE DEFENDANT'S MTN TERMINATING SANCTIONS - ks] - Transaction 5609506 - Approved By: NOREVIEW : 07-14-2016:15:30:44

350 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5609511 - Approved By: NOREVIEW : 07-14-2016:15:31:46

351 7/14/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5609669 - Approved By: NOREVIEW : 07-14-2016:16:02:41

352 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5609671 - Approved By: NOREVIEW : 07-14-2016:16:03:47

353 7/14/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5609673 - Approved By: NOREVIEW : 07-14-2016:16:04:19

354 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5609675 - Approved By: NOREVIEW : 07-14-2016:16:05:18

355 7/14/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5609678 - Approved By: NOREVIEW : 07-14-2016:16:05:49

356 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5609684 - Approved By: NOREVIEW : 07-14-2016:16:06:48

357 7/15/2016 - 1067 - Affidavit of Service
Additional Text: Transaction 5610540 - Approved By: CSULEZIC : 07-15-2016:13:00:27

358 7/15/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5611081 - Approved By: NOREVIEW : 07-15-2016:13:01:24

359 7/15/2016 - 2145 - Mtn Ord to Show Cause
Additional Text: PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANTS AND MARK SIMONS, ESQ. SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING A COURT ORDER - Transaction 5612041 - Approved By: CSULEZIC : 07-18-2016:10:52:59

360 7/15/2016 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME TO RESPOND TO PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANTS AND MARK SIMONS, ESQ. SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING A COURT ORDER - Transaction 5612041 - Approved By: CSULEZIC : 07-18-2016:10:52:59

361 7/15/2016 - 2185 - Mtn for Sanctions
Additional Text: PLAINTIFFS' MOTION FOR SANCTIONS FOR DEFENDANTS' INTENTIONAL AND WILLFUL VIOLATION OF THIS COURT'S DISCOVERY ORDER - Transaction 5612041 - Approved By: CSULEZIC : 07-18-2016:10:52:59

362 7/15/2016 - 1670 - Ex-Parte Mtn...
Additional Text: EXP ARTE MOTION FOR ORDER SHORTENING TIME TO RESPOND TO PLAINTIFFS' MOTION FOR SANCTIONS FOR DEFENDANTS' INTENTIONAL AND WILLFUL VIOLATION OF THIS COURT'S DISCOVERY ORDER - Transaction 5612041 - Approved By: CSULEZIC : 07-18-2016:10:52:59

- 363 7/15/2016 - 2270 - Mtn to Compel...
Additional Text: PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND SANCTIONS - Transaction 5612041 - Approved By: CSULEZIC : 07-18-2016:10:52:59
- 364 7/15/2016 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME TO RESPOND TO PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND SANCTIONS - Transaction 5612041 - Approved By: CSULEZIC : 07-18-2016:10:52:59
- 365 7/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5612726 - Approved By: NOREVIEW : 07-18-2016:10:54:15
- 366 7/18/2016 - 3245 - Ord Shortening Time
Additional Text: [RE PLAINTIFF'S MTN TO COMPEL PROD OF DOCS AND SANCTIONS - ks] - Transaction 5613083 - Approved By: NOREVIEW : 07-18-2016:12:37:27
- 367 7/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5613086 - Approved By: NOREVIEW : 07-18-2016:12:38:27
- 368 7/18/2016 - 3245 - Ord Shortening Time
Additional Text: [RE PLAINTIFF'S MTN FOR SANCTIONS FOR DEFENDANT'S INT. VIOL. OF CT'S DISC. ORDER - ks] - Transaction 5613088 - Approved By: NOREVIEW : 07-18-2016:12:39:07
- 369 7/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5613089 - Approved By: NOREVIEW : 07-18-2016:12:40:09
- 370 7/18/2016 - 3245 - Ord Shortening Time
Additional Text: [RE PLAINTIFF'S MTN FOR SANCTIONS FOR OSC RE CONTEMPT - ks] - Transaction 5613092 - Approved By: NOREVIEW : 07-18-2016:12:40:48
- 371 7/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5613093 - Approved By: NOREVIEW : 07-18-2016:12:41:47
- 372 7/18/2016 - 2645 - Opposition to Mtn ...
Additional Text: Transaction 5614029 - Approved By: YVILORIA : 07-19-2016:08:41:22
- 373 7/18/2016 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR PROTECTIVE ORDER PRECLUDING FURTHER DISCOVERY - Transaction 5614043 - Approved By: YVILORIA : 07-19-2016:08:45:28
- 374 7/18/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE WHY PLAINTIFFS, STEPHANIE RICE, ESQ AND CHRIS BIELSER SHOULD NOT BE HELD IN CONTEMPT - Transaction 5614063 - Approved By: YVILORIA : 07-19-2016:08:50:59
- 375 7/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5614426 - Approved By: NOREVIEW : 07-19-2016:08:44:43
- 376 7/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5614437 - Approved By: NOREVIEW : 07-19-2016:08:46:24
- 377 7/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5614455 - Approved By: NOREVIEW : 07-19-2016:08:52:05
- 378 7/19/2016 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND SANCTIONS - Transaction 5615517 - Approved By: CSULEZIC : 07-19-2016:15:22:52
- 379 7/19/2016 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANTS AND MARK SIMONS, ESQ. SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING A COURT ORDER - Transaction 5615552 - Approved By: CSULEZIC : 07-19-2016:15:45:13

- 380 7/19/2016 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS OPPOSITION TO PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE WHY DEENDANTS AND MARK SIMONS, ESQ SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING A COURT ORDER - Transaction 5615656 - Approved By: YVILORIA : 07-19-2016:15:07:08
- 381 7/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5615980 - Approved By: NOREVIEW : 07-19-2016:15:10:00
- 382 7/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5616039 - Approved By: NOREVIEW : 07-19-2016:15:24:07
- 383 7/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5616137 - Approved By: NOREVIEW : 07-19-2016:15:46:14
- 384 7/20/2016 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY IN SUPPORT OF MOTION FOR PROTECTIVE ORDER PRECLUDING FURTHER DISCOVERY - Transaction 5617863 - Approved By: YVILORIA : 07-20-2016:14:34:07
- 385 7/20/2016 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY IN SUPPORT OF MOTION FOR TERMINATING SANCTIONS - Transaction 5617879 - Approved By: RKWATKIN : 07-20-2016:14:20:03
- 386 7/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5617959 - Approved By: NOREVIEW : 07-20-2016:14:21:00
- 387 7/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5618015 - Approved By: NOREVIEW : 07-20-2016:14:35:28
- 388 7/21/2016 - 3795 - Reply...
Additional Text: DEFENDANT'S REPLY IN SUPPORT OF MOTION FOR AN ORDER TO SHOW CAUSE WHY PLAINTIFFS, STEPHANIE RICE, ESQ AND CHRIS BIESLER SHOULD NOT BE HELD IN CONTEMPT - Transaction 5619073 - Approved By: YVILORIA : 07-21-2016:09:43:48
- 389 7/21/2016 - \$1560 - \$Def 1st Appearance - CV
Additional Text: WASTE MANAGEMENT - Transaction 5619073 - Approved By: YVILORIA : 07-21-2016:09:43:48
- 390 7/21/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$213.00 was made on receipt DCDC546920.
- 391 7/21/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5619112 - Approved By: NOREVIEW : 07-21-2016:09:44:42
- 392 7/21/2016 - 3795 - Reply...
Additional Text: PLAINTIFFS' REPLY TO MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANTS AND MARK SIMONS, ESQ. SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING A COURT ORDER - Transaction 5620932 - Approved By: CSULEZIC : 07-22-2016:08:32:01
- 393 7/21/2016 - 3795 - Reply...
Additional Text: PLAINTIFFS' REPLY TO MOTION FOR SANCTIONS FOR DEFENDANTS' INTENTIONAL AND WILLFUL VIOLATION OF THIS COURT'S DISCOVERY ORDER - Transaction 5620932 - Approved By: CSULEZIC : 07-22-2016:08:32:01
- 394 7/21/2016 - 3795 - Reply...
Additional Text: PLAINTIFFS REPLY TO MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND SANCTIONS - Transaction 5620932 - Approved By: CSULEZIC : 07-22-2016:08:32:01
- 395 7/22/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5621535 - Approved By: NOREVIEW : 07-22-2016:08:32:54
- 396 7/25/2016 - 3860 - Request for Submission

Additional Text: MOTION FOR AN ORDER TO SHOW CAUSE WHY PLAINTIFFS, STEPHANIE RICE ESQ AND CHRIS BIESLER SHOULD NOT BE HELD IN CONTEMPT FILED 7/14/16 - Transaction 5624665 - Approved By: CSULEZIC : 07-25-2016:13:44:23

PARTY SUBMITTING: MARK SIMONS ESQ

DATE SUBMITTED: 7/25/16

SUBMITTED BY: CS

DATE RECEIVED JUDGE OFFICE:

397 7/25/2016 - 3860 - Request for Submission

Additional Text: MOTION FOR TERMINATING SANCTIONS FILED 7/14/16 - Transaction 5624665 - Approved By: CSULEZIC : 07-25-2016:13:44:23

PARTY SUBMITTING: MARK SIMONS, ESQ

DATE SUBMITTED: 7/25/16

SUBMITTED BY: CS

DATE RECEIVED JUDGE OFFICE:

398 7/25/2016 - 3860 - Request for Submission

Additional Text: MOTION FOR PROTECTIVE ORDER PRECLUDING FURTHER DISCOVERY FILED 7/14/16 - Transaction 5624665 -

Approved By: CSULEZIC : 07-25-2016:13:44:23

PARTY SUBMITTING: MARK SIMONS, ESQ

DATE SUBMITTED: 7/25/16

SUBMITTED BY: CS

DATE RECEIVED JUDGE OFFICE:

399 7/25/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5624980 - Approved By: NOREVIEW : 07-25-2016:13:45:10

400 7/25/2016 - 3860 - Request for Submission

Additional Text: - Transaction 5625193 - Approved By: YVILORIA : 07-25-2016:16:39:50

DOCUMENT TITLE: PLAINTIFF'S MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANTS AND MARK SIMONS ESQ SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING A COURT ORDER FILED 7-15-16

PARTY SUBMITTING: DEL L HARDY ESQ

DATE SUBMITTED: JULY 25, 2016

SUBMITTED BY: YVILORIA

DATE RECEIVED JUDGE OFFICE:

401 7/25/2016 - 3860 - Request for Submission

Additional Text: Transaction 5625193 - Approved By: YVILORIA : 07-25-2016:16:39:50

DOCUMENT TITLE: PLAINTIFF'S MOTION FOR SANCTIONS FOR DEFENDNATS' INTENTIONAL AND WILLFUL VIOLATION OF THIS COURT'S DISCOVERY ORDER FILED 7-15-16 AND DEFT'S OPPOSITION TO MOTION FILED 7-19-16

PARTY SUBMITTING: DEL L HARDY ESQ

DATE SUBMITTED: JULY 25, 2016

SUBMITTED BY: YVILORIA

DATE RECEIVED JUDGE OFFICE:

402 7/25/2016 - 3860 - Request for Submission

Additional Text: Transaction 5625193 - Approved By: YVILORIA : 07-25-2016:16:39:50

DOCUMENT TITLE: PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND SANCTIONS FILED 7-15-16 AND DEFT'S OPPOSITION TO MOTION FILED 7-19-16, REPLY TO OPPOSITION FILED 7-21-16

PARTY SUBMITTING: DEL L HARDY ESQ

DATE SUBMITTED: JULY 25, 2016

SUBMITTED BY: YVILORIA

DATE RECEIVED JUDGE OFFICE:

403 7/25/2016 - 2645 - Opposition to Mtn ...

Additional Text: DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR SANCTIONS FOR DEFENDNATS' INTENTIONAL AND WILLFUL VIOLATION OF THIS COURT'S DISCOVERY ORDER - Transaction 5625512 - Approved By: YVILORIA : 07-26-2016:08:58:00

404 7/25/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5625643 - Approved By: NOREVIEW : 07-25-2016:16:41:36

405 7/26/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5626052 - Approved By: NOREVIEW : 07-26-2016:08:59:00

- 406 7/26/2016 - 2610 - Notice ...
Additional Text: Notice of Corrected Filing - Transaction 5626690 - Approved By: YVILORIA : 07-26-2016:12:14:19
- 407 7/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5626992 - Approved By: NOREVIEW : 07-26-2016:12:15:15
- 408 7/27/2016 - 3860 - Request for Submission
Additional Text: MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANTS AND MARK SIMONS ESQ SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING A COURT ORDER - Transaction 5629259 - Approved By: CSULEZIC : 07-27-2016:12:51:00
PARTY SUBMITTING: DEL HARDY ESQ
DATE SUBMITTED: 7/27/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 409 7/27/2016 - 3860 - Request for Submission
Additional Text: MOTION FOR SANCTIONS FOR DEFENDANTS INTENTIONAL AND WILLFUL VIOLATION OF THIS COURT'S DISCOVERY ORDER - Transaction 5629259 - Approved By: CSULEZIC : 07-27-2016:12:51:00
PARTY SUBMITTING: DEL HARDY ESQ
DATE SUBMITTED: 7/27/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 410 7/27/2016 - 3860 - Request for Submission
Additional Text: MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND SANCTIONS - Transaction 5629259 - Approved By: CSULEZIC : 07-27-2016:12:51:00
PARTY SUBMITTING: DEL HARDY ESQ
DATE SUBMITTED: 7/27/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 411 7/27/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5629688 - Approved By: NOREVIEW : 07-27-2016:12:52:01
- 412 7/27/2016 - S200 - Request for Submission Complet
Additional Text: [COUNSEL FOR PLAINTIFF ORIGINALLY SUBMITTED MTNS FOR DECISION ON 07.25.16; AND RESUBMITTED SAME MTNS ON 07.27.16 - ks]
- 413 7/27/2016 - S200 - Request for Submission Complet
Additional Text: [COUNSEL FOR PLAINTIFF ORIGINALLY SUBMITTED MTNS FOR DECISION ON 07.25.16; AND RESUBMITTED SAME MTNS ON 07.27.16 - ks]
- 414 7/27/2016 - S200 - Request for Submission Complet
Additional Text: [COUNSEL FOR PLAINTIFF ORIGINALLY SUBMITTED MTNS FOR DECISION ON 07.25.16; AND RESUBMITTED SAME MTNS ON 07.27.16 - ks]
- 415 8/1/2016 - S200 - Request for Submission Complet
Additional Text: HEARING ON MTN FOR PROTECTIVE ORDER SET FOR 08.02.16 - 1:30 P.M. - ks
- 416 8/2/2016 - 3370 - Order ...
Additional Text: [RE DEFENDANTS' MTN FOR PROTECTIVE ORDER - ks] - Transaction 5639153 - Approved By: NOREVIEW : 08-02-2016:16:54:38
- 417 8/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5639163 - Approved By: NOREVIEW : 08-02-2016:16:56:09
- 418 8/3/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5640103 - Approved By: NOREVIEW : 08-03-2016:11:49:30
- 419 8/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5640106 - Approved By: NOREVIEW : 08-03-2016:11:50:20

- 420 8/4/2016 - MIN - ***Minutes
Additional Text: HEARING IN RE: DEFENDANTS' MOTION FOR PROTECTIVE ORDER - 08-02-16 - Transaction 5641697 - Approved By: NOREVIEW : 08-04-2016:08:45:39
- 421 8/4/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5641705 - Approved By: NOREVIEW : 08-04-2016:08:46:38
- 422 8/18/2016 - MIN - ***Minutes
Additional Text: ORAL ARGUMENTS IN RE: DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT - Transaction 5666163 - Approved By: NOREVIEW : 08-18-2016:13:14:14
- 423 8/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5666169 - Approved By: NOREVIEW : 08-18-2016:13:17:01
- 424 8/18/2016 - S200 - Request for Submission Complet
Additional Text: 08.18.16 - DEFENDANT'S MSJ GRANTED - ks
- 425 8/18/2016 - S200 - Request for Submission Complet
Additional Text: 08.18.16 - DEFENDANT'S MSJ GRANTED - ks
- 426 8/18/2016 - S200 - Request for Submission Complet
Additional Text: 08.18.16 - DEFENDANT'S MSJ GRANTED - ks
- 427 8/18/2016 - S200 - Request for Submission Complet
Additional Text: 08.18.16 - DEFENDANT'S MSJ GRANTED - ks
- 428 8/18/2016 - S200 - Request for Submission Complet
Additional Text: 08.18.16 - DEFENDANT'S MSJ GRANTED - ks
- 429 8/24/2016 - 4185 - Transcript
Additional Text: ORAL ARGUMENTS - AUGUST 18, 2016 - Transaction 5676263 - Approved By: NOREVIEW : 08-24-2016:17:07:31
- 430 8/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5676265 - Approved By: NOREVIEW : 08-24-2016:17:08:30
- 431 9/12/2016 - 2490 - Motion ...
Additional Text: MOTION FOR ISSUANCE OF AMENDED SCHEDULING ORDER - Transaction 5701828 - Approved By: CSULEZIC : 09-12-2016:15:18:32
- 432 9/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5702618 - Approved By: NOREVIEW : 09-12-2016:15:20:01
- 433 9/15/2016 - 2630 - Objection to ...
Additional Text: PLAINTIFFS' OBJECTION TO DEFENDANTS' PROPOSED ORDER ON RENO DISPOSAL COMPANY AND REFUSE INC'S MOTIONS FOR SUMMARY JUDGMENT RE: LIABILITY AND DAMAGES; AND PLAINTIFFS' PROPOSED ORDER - Transaction 5709209 - Approved By: SWOLFE : 09-15-2016:14:13:48
- 434 9/15/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5709748 - Approved By: NOREVIEW : 09-15-2016:14:14:41
- 435 9/19/2016 - FIE - **Document Filed in Error
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- 436 9/19/2016 - FIE - **Document Filed in Error
No additional text exists for this entry.

- 437 9/19/2016 - 3370 - Order ...
Additional Text: [GRANTING DEFENDANT'S MTN FOR SUMMARY JUDGMENT RE DAMAGES - ks] - Transaction 5714786 - Approved By: NOREVIEW : 09-19-2016:15:45:09
- 438 9/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5714794 - Approved By: NOREVIEW : 09-19-2016:15:47:58
- 439 9/20/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5716192 - Approved By: NOREVIEW : 09-20-2016:12:06:57
- 440 9/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5716194 - Approved By: NOREVIEW : 09-20-2016:12:07:57
- 441 9/22/2016 - 2645 - Opposition to Mtn ...
Additional Text: defendants OPPOSITION TO PLAINTIFFS MOTION FOR ISSUANCE OF AMENDED SCHEDULING ORDER - Transaction 5721740 - Approved By: CSULEZIC : 09-23-2016:08:47:39
- 442 9/23/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5722393 - Approved By: NOREVIEW : 09-23-2016:08:48:40
- 443 9/23/2016 - 1120 - Amended ...
Additional Text: AMENDED CERTIFICATE OF SERVICE OF DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR ISSUANCE OF AMENDED SCHEDULING ORDER - Transaction 5723205 - Approved By: RKWATKIN : 09-23-2016:14:38:19
- 444 9/23/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5723603 - Approved By: NOREVIEW : 09-23-2016:14:39:41
- 445 9/29/2016 - 3795 - Reply...
Additional Text: REPLY TO MOTION FOR ISSUANCE OF AMENDED SCHEDULING ORDER - Transaction 5731890 - Approved By: TBRITTON : 09-29-2016:09:53:25
- 446 9/29/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5732135 - Approved By: NOREVIEW : 09-29-2016:09:54:35
- 447 9/29/2016 - 3860 - Request for Submission
Additional Text: Transaction 5732550 - Approved By: EGALLIET : 09-29-2016:11:30:52
DOCUMENT TITLE: PLAINTIFF'S MOTION FOR ISSUANCE OF AMENDED SCHEDULING ORDER
PARTY SUBMITTING: DEL HARDY, ESQ
DATE SUBMITTED: 9/29/2016
SUBMITTED BY: EGALLIETT
DATE RECEIVED JUDGE OFFICE:
- 448 9/29/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5732646 - Approved By: NOREVIEW : 09-29-2016:11:31:53
- 449 10/6/2016 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: Transaction 5744767 - Approved By: YVILORIA : 10-07-2016:08:13:25
- 450 10/6/2016 - 1310E - Case Appeal Statement
Additional Text: JOINT CASE APPEAL STATEMENT - Transaction 5744790 - Approved By: RKWATKIN : 10-06-2016:16:52:30
- 451 10/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5745269 - Approved By: NOREVIEW : 10-06-2016:16:53:41
- 452 10/7/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC554756.

- 453 10/7/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5745389 - Approved By: NOREVIEW : 10-07-2016:08:14:29
- 454 10/7/2016 - 1950 - Memorandum of Costs
Additional Text: Transaction 5747076 - Approved By: CSULEZIC : 10-07-2016:16:45:35
- 455 10/7/2016 - 2010 - Mtn for Attorney's Fee
Additional Text: Transaction 5747116 - Approved By: CSULEZIC : 10-07-2016:16:54:04
- 456 10/7/2016 - 2610 - Notice ...
Additional Text: Transaction 5747116 - Approved By: CSULEZIC : 10-07-2016:16:54:04
- 457 10/7/2016 - 2490 - Motion ...
Additional Text: MOTION FOR ENTRY OF FINAL JUDGMENT - Transaction 5747127 - Approved By: TBRITTON : 10-07-2016:16:55:08
- 458 10/7/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5747437 - Approved By: NOREVIEW : 10-07-2016:16:47:00
- 459 10/7/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5747466 - Approved By: NOREVIEW : 10-07-2016:16:54:57
- 460 10/7/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5747474 - Approved By: NOREVIEW : 10-07-2016:16:56:09
- 461 10/10/2016 - SAB - **Supreme Court Appeal Bond
Additional Text: Bond ID: SAB-16-00056; Total Bond Amount: \$500.00.

Bond Code, SAB, Receipted for: SITE DEFINED TRUST DEPOSIT, on 10-OCT-2016 in the amount of \$500.00 on case ID CV15-00497.
- 462 10/10/2016 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 5749046 - Approved By: NOREVIEW : 10-10-2016:14:19:57
- 463 10/10/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5749055 - Approved By: NOREVIEW : 10-10-2016:14:20:59

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

NEVADA RECYCLING AND
SALVAGE, LTD,

Case No.: CV15-00497

Dept. No.: 7

Plaintiff,

vs.

RENO DISPOSAL COMPANY, INC.,
a Nevada corporation doing business
as WASTE MANAGEMENT, et. al.

Defendants.

ORDER

This matter came on for hearing on August 18, 2016, on the Defendants' Second Motion for Summary Judgment re: Liability and the Defendants' Motion for Summary Judgment re: Damages. Mark G. Simons, Esq. and Therese M. Shanks, Esq. of the law firm of Robison, Belaustegui, Sharp & Low appeared on behalf of Defendants Reno Disposal Company, Inc. ("Reno Disposal"), Refuse, Inc. ("Refuse"), and Waste Management of Nevada, Inc. ("WMON") (hereinafter collectively referred to as "Waste Management" and/or "Defendants"). Stephanie Rice, Esq. and Richard A. Salvatore, Esq. of Winter Street Law Group appeared on behalf of Plaintiffs Nevada Recycling and Salvage, Ltd. ("NRS") and AMCB, LLC dba Rubbish Runners ("RR") (collectively the "Plaintiffs" unless otherwise specified).

The Court has considered the motions, the oppositions thereto and the replies,

1 all papers submitted in connection with such briefing, and the arguments of counsel
2 at the time of the hearing. In rendering its decision, the Court considered that in
3 evaluating the Plaintiffs' claim of anti-competitive behavior, state trial courts are
4 directed to look to the federal courts for guidance in these cases and this Court has
5 looked to the United States Supreme Court decisions where applicable. See NRS
6 598A.050 ("The provisions of this chapter shall be construed in harmony with
7 prevailing judicial interpretations of the federal antitrust statutes.").

8 Based upon the Court's analysis, the undisputed facts and the unambiguous
9 language of the franchise agreements incorporated by reference herein, and for good
10 cause the Court GRANTS both motions for summary judgment for the following
11 reasons and on the following grounds:

12 1. This case involves a dispute over franchise agreements, plural, for the
13 collection of solid waste and recyclable materials granted by the City of Reno to Reno
14 Disposal and to Castaway Trash Hauling ("Castaway") back in 2012.

15 2. After the original franchise agreements were signed by the City of Reno,
16 Castaway assigned its rights it held under its own franchise agreement with the City
17 of Reno to Reno Disposal. And as a result, Reno Disposal now has an exclusive right,
18 a monopoly, to provide commercial waste disposal and collection of recyclable
19 materials for the entire City of Reno.

20 3. Plaintiffs in this case are two trash disposal and recycling companies
21 who do business in the City of Reno. Plaintiffs originally asserted seven causes of
22 action. The Defendants filed a motion to dismiss the Plaintiffs' claims and this Court,
23 after arguments and briefing on the issues presented, entered an order dismissing all
24 of the Plaintiffs' other causes of action leaving Plaintiffs only with this claim for
25 unfair trade practices.

26 4. The Plaintiffs' remaining contention in this case is that the Defendants
27 hid their plan to consolidate the franchise agreements from the City, and that if their
28 true intentions were known, the Reno City Council would never have assented to

1 terms of the franchise agreements in the first place. The Plaintiffs contend that this
2 conduct violates the Nevada Unfair Trade Practices Act.

3 5. Before the Court are Defendants' motions for summary judgment on
4 liability and damages. Summary judgment is proper if the pleadings and all other
5 evidence on file demonstrates that no genuine issue of material fact exists and that
6 the moving party is entitled to judgment as a matter of law.

7 6. When the Court decides a motion for summary judgment, it must view
8 all other evidence in the light most favorable to the nonmoving party. General
9 allegations and conclusory statements do not create a genuine issue of law.

10 7. The Defendants' essential argument is that the assignment of the
11 franchise agreement to Reno Disposal was done pursuant to express contractual
12 provisions contained in the franchise agreements, and such action was expressly
13 authorized and approved by the City of Reno.

14 8. The Defendants claim and the Plaintiffs concede the following: that the
15 franchise agreements are valid and unambiguous contracts; that the City of Reno was
16 authorized to enter into the franchise agreements; that the franchise agreements
17 expressly contemplated the consolidation of the two franchises into a single franchise;
18 that the franchise agreements expressly preapproved Reno Disposal acquiring
19 Castaway's franchise rights without further City of Reno approval; and that the City
20 of Reno expressly approved Reno Disposal's acquisition of Castaway's franchise rights
21 thereby establishing a single franchise situation.

22 9. Central to the Plaintiffs' case is the argument that the agreement
23 between Castaway and Reno Disposal several months before the public hearings
24 constituted a criminal conspiracy. This Court can find no evidence to support that
25 characterization.

26 10. Looking to the United States Supreme Court in Eastern Railroad
27 President's Conference v. Noerr Motor Freight, 365 U.S. 127, 135 (1961) (rehearing
28 denied 365 U.S. 875), Justice Hugo Black stated:

1 We accept as the starting point for our consideration of the case the same
2 basic construction of the Sherman Antitrust Act adopted by the courts below
3 that no violation of the act can be predicated upon mere attempts to influence
4 the passage or enforcement of laws. It has been recognized at least since the
5 landmark decision of this Court in Standard Oil Company of New Jersey v.
6 United States, that the Sherman Act forbids only those trade restraints and
7 monopolizations that are created or attempted by the acts of individuals or
8 combination of individuals or corporations. Accordingly, it has been held that
9 where a restraint upon trade or monopolization is the result of valid
10 government action, as opposed to private action, no violation of the act can be
11 made out.

12 Further in the Noerr decision, Justice Black states: “we think it equally clear
13 that the Sherman Act does not prohibit two or more persons from associating together
14 in an attempt to persuade the legislature or the executive”, which in this case was
15 the City of Reno “to take particular action with respect to a law that would produce a
16 restraint or a monopoly.” Id. at 136.

17 11. The Nevada Revised Statutes clearly contemplate the safe harbor
18 described in the Noerr decision. NRS 598A.040(3)(b) says that the provisions of this
19 chapter do not apply to conduct which is expressly authorized, regulated, or approved
20 by an ordinance of any city or county of this state.

21 12. The Court finds that the franchise agreement entered into by the City
22 of Reno and Reno Disposal in this case is valid, unambiguous, and enforceable.

23 13. The Court finds that this contract, although it limits competition in the
24 waste disposal industry, is a valid exercise of a proper government power and is
25 specifically exempted from antitrust supervision and antitrust application.

26 14. Further, the Defendants’ conduct is exempt from liability because it
27 involves a political and not business conduct under the Noerr Doctrine discussed
28 above.

15. In terms of damages, the Defendants argue that the Plaintiffs lack standing to assert their claim, because they were not qualified to service a franchise zone, that they never sought to be considered by the City of Reno to serve as a franchise zone, and that the City of Reno determined that they were not qualified waste haulers.

16. The Court finds that pursuant to NRS 598A.040(3) the Plaintiffs have not sustained any injury and the Plaintiffs have not alleged an antitrust injury sufficient to confer standing to prove any claim under NRS 598A.060.

IT IS SO ORDERED.

DATED this 19 day of September, 2016.

Patrick Flanagan
PATRICK FLANAGAN
District Judge

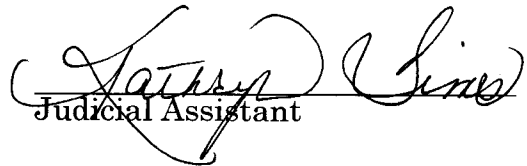
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 19 day of September, 2016, I electronically filed the following with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

Stephanie Rice, Esq., attorney for Nevada Recycling and Salvage, Ltd., and AMCB, LLC.; and

Mark G. Simons, Esq., attorney for Reno Disposal Company, Inc., Refuse, Inc., and Waste Management of Nevada, Inc.


Judicial Assistant

1 **2540**

2 Mark G. Simons, Esq., NSB No. 5132
3 Therese M. Shanks, Esq., NSB No. 12890
4 ROBISON, BELAUSTEGUI, SHARP & LOW
5 71 Washington Street
6 Reno, Nevada 89503
7 Telephone: (775) 329-3151
8 Facsimile: (775) 329-7169
9 Email: msimons@rbsllaw.com and
10 tshanks@rbsllaw.com

11 *Attorneys for Defendants*

12 **IN THE SECOND JUDICIAL DISTRICT FOR THE STATE OF NEVADA**
13 **IN AND FOR THE COUNTY OF WASHOE**

14 NEVADA RECYCLING AND SALVAGE,
15 LTD., a Nevada Limited Liability
16 Company; and AMCB, LLC, a Nevada
17 Limited Liability Company dba RUBBISH
18 RUNNERS,

CASE NO.: CV15-00497

DEPT. NO.: 7

19 Plaintiffs,

20 vs.

21 RENO DISPOSAL COMPANY, INC., a
22 Nevada Corporation doing business as
23 WASTE MANAGEMENT; REFUSE, INC.,
24 a Nevada Corporation; WASTE
25 MANAGEMENT OF NEVADA, INC., a
26 Nevada Corporation, ABC
27 CORPORATIONS, I through X; BLACK
28 AND WHITE COMPANIES, I through X;
and JOHN DOES I through X, inclusive,

Defendants.

NOTICE OF ENTRY OF ORDER

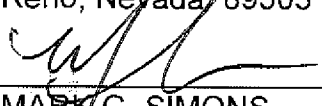
PLEASE TAKE NOTICE that an Order granting Defendants' Motions for
Summary Judgment was entered by the Honorable Patrick Flanagan on the 19th day of

1 September, 2016, in the above-entitled matter. See **Exhibit 1**.

2 **AFFIRMATION:** The undersigned do hereby affirm that the preceding document
3 does not contain the social security number of any person.

4 DATED this 20th day of September, 2016.

6 ROBISON, BELAUSTEGUI, SHARP & LOW
7 A Professional Corporation
8 71 Washington Street
9 Reno, Nevada 89503

10 
11 MARK G. SIMONS
12 THERESE M. SHANKS
13 Attorneys for Defendants

14 j:\wpdata\mgs\30538.001 (waste management v m-nrs)\p-neo (11).doc

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of ROBISON, BELAUSTEGUI, SHARP & LOW, and that on this date I caused to be served a true copy of the **NOTICE OF ENTRY OF ORDER** on all parties to this action by the method(s) indicated below:

☒ by placing an original or true copy thereof in a sealed envelope, with sufficient postage affixed thereto, in the United States mail at Reno, Nevada, addressed to:

Del Hardy, Esq.
Stephanie Rice, Esq.
Richard Salvatore, Esq.
WINTER STREET LAW GROUP
96 Winter Street
Reno, Nevada 89503
Attorneys for Plaintiffs

☒ by using the Court's CM/ECF Electronic Notification System:

Del Hardy, Esq.
Stephanie Rice, Esq.
WINTER STREET LAW GROUP
Attorneys for Plaintiffs

_____ by personal delivery/hand delivery addressed to:

_____ by facsimile (fax) addressed to:

_____ by Federal Express/UPS or other overnight delivery addressed to:

DATED this 20th day of September, 2016.



Employee of Robison, Belaustegui, Sharp & Low

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EXHIBIT LIST

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGES</u>
1	Order	6

EXHIBIT 1

EXHIBIT 1

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

NEVADA RECYCLING AND
SALVAGE, LTD,

Case No.: CV15-00497

Plaintiff,

Dept. No.: 7

vs.

RENO DISPOSAL COMPANY, INC.,
a Nevada corporation doing business
as WASTE MANAGEMENT, et. al.

Defendants.

ORDER

This matter came on for hearing on August 18, 2016, on the Defendants' Second Motion for Summary Judgment re: Liability and the Defendants' Motion for Summary Judgment re: Damages. Mark G. Simons, Esq. and Therese M. Shanks, Esq. of the law firm of Robison, Belaustegui, Sharp & Low appeared on behalf of Defendants Reno Disposal Company, Inc. ("Reno Disposal"), Refuse, Inc. ("Refuse"), and Waste Management of Nevada, Inc. ("WMON") (hereinafter collectively referred to as "Waste Management" and/or "Defendants"). Stephanie Rice, Esq. and Richard A. Salvatore, Esq. of Winter Street Law Group appeared on behalf of Plaintiffs Nevada Recycling and Salvage, Ltd. ("NRS") and AMCB, LLC dba Rubbish Runners ("RR") (collectively the "Plaintiffs" unless otherwise specified).

The Court has considered the motions, the oppositions thereto and the replies,

1 all papers submitted in connection with such briefing, and the arguments of counsel
2 at the time of the hearing. In rendering its decision, the Court considered that in
3 evaluating the Plaintiffs' claim of anti-competitive behavior, state trial courts are
4 directed to look to the federal courts for guidance in these cases and this Court has
5 looked to the United States Supreme Court decisions where applicable. See NRS
6 598A.050 ("The provisions of this chapter shall be construed in harmony with
7 prevailing judicial interpretations of the federal antitrust statutes.").

8 Based upon the Court's analysis, the undisputed facts and the unambiguous
9 language of the franchise agreements incorporated by reference herein, and for good
10 cause the Court GRANTS both motions for summary judgment for the following
11 reasons and on the following grounds:

12 1. This case involves a dispute over franchise agreements, plural, for the
13 collection of solid waste and recyclable materials granted by the City of Reno to Reno
14 Disposal and to Castaway Trash Hauling ("Castaway") back in 2012.

15 2. After the original franchise agreements were signed by the City of Reno,
16 Castaway assigned its rights it held under its own franchise agreement with the City
17 of Reno to Reno Disposal. And as a result, Reno Disposal now has an exclusive right,
18 a monopoly, to provide commercial waste disposal and collection of recyclable
19 materials for the entire City of Reno.

20 3. Plaintiffs in this case are two trash disposal and recycling companies
21 who do business in the City of Reno. Plaintiffs originally asserted seven causes of
22 action. The Defendants filed a motion to dismiss the Plaintiffs' claims and this Court,
23 after arguments and briefing on the issues presented, entered an order dismissing all
24 of the Plaintiffs' other causes of action leaving Plaintiffs only with this claim for
25 unfair trade practices.

26 4. The Plaintiffs' remaining contention in this case is that the Defendants
27 hid their plan to consolidate the franchise agreements from the City, and that if their
28 true intentions were known, the Reno City Council would never have assented to

1 terms of the franchise agreements in the first place. The Plaintiffs contend that this
2 conduct violates the Nevada Unfair Trade Practices Act.

3 5. Before the Court are Defendants' motions for summary judgment on
4 liability and damages. Summary judgment is proper if the pleadings and all other
5 evidence on file demonstrates that no genuine issue of material fact exists and that
6 the moving party is entitled to judgment as a matter of law.

7 6. When the Court decides a motion for summary judgment, it must view
8 all other evidence in the light most favorable to the nonmoving party. General
9 allegations and conclusory statements do not create a genuine issue of law.

10 7. The Defendants' essential argument is that the assignment of the
11 franchise agreement to Reno Disposal was done pursuant to express contractual
12 provisions contained in the franchise agreements, and such action was expressly
13 authorized and approved by the City of Reno.

14 8. The Defendants claim and the Plaintiffs concede the following: that the
15 franchise agreements are valid and unambiguous contracts; that the City of Reno was
16 authorized to enter into the franchise agreements; that the franchise agreements
17 expressly contemplated the consolidation of the two franchises into a single franchise;
18 that the franchise agreements expressly preapproved Reno Disposal acquiring
19 Castaway's franchise rights without further City of Reno approval; and that the City
20 of Reno expressly approved Reno Disposal's acquisition of Castaway's franchise rights
21 thereby establishing a single franchise situation.

22 9. Central to the Plaintiffs' case is the argument that the agreement
23 between Castaway and Reno Disposal several months before the public hearings
24 constituted a criminal conspiracy. This Court can find no evidence to support that
25 characterization.

26 10. Looking to the United States Supreme Court in Eastern Railroad
27 President's Conference v. Noerr Motor Freight, 365 U.S. 127, 135 (1961) (rehearing
28 denied 365 U.S. 875), Justice Hugo Black stated:

1 We accept as the starting point for our consideration of the case the same
2 basic construction of the Sherman Antitrust Act adopted by the courts below
3 that no violation of the act can be predicated upon mere attempts to influence
4 the passage or enforcement of laws. It has been recognized at least since the
5 landmark decision of this Court in Standard Oil Company of New Jersey v.
6 United States, that the Sherman Act forbids only those trade restraints and
7 monopolizations that are created or attempted by the acts of individuals or
8 combination of individuals or corporations. Accordingly, it has been held that
9 where a restraint upon trade or monopolization is the result of valid
10 government action, as opposed to private action, no violation of the act can be
11 made out.

12 Further in the Noerr decision, Justice Black states: "we think it equally clear
13 that the Sherman Act does not prohibit two or more persons from associating together
14 in an attempt to persuade the legislature or the executive", which in this case was
15 the City of Reno "to take particular action with respect to a law that would produce a
16 restraint or a monopoly." Id. at 136.

17 11. The Nevada Revised Statutes clearly contemplate the safe harbor
18 described in the Noerr decision. NRS 598A.040(3)(b) says that the provisions of this
19 chapter do not apply to conduct which is expressly authorized, regulated, or approved
20 by an ordinance of any city or county of this state.

21 12. The Court finds that the franchise agreement entered into by the City
22 of Reno and Reno Disposal in this case is valid, unambiguous, and enforceable.

23 13. The Court finds that this contract, although it limits competition in the
24 waste disposal industry, is a valid exercise of a proper government power and is
25 specifically exempted from antitrust supervision and antitrust application.

26 14. Further, the Defendants' conduct is exempt from liability because it
27 involves a political and not business conduct under the Noerr Doctrine discussed
28 above.

15. In terms of damages, the Defendants argue that the Plaintiffs lack standing to assert their claim, because they were not qualified to service a franchise zone, that they never sought to be considered by the City of Reno to serve as a franchise zone, and that the City of Reno determined that they were not qualified waste haulers.

16. The Court finds that pursuant to NRS 598A.040(3) the Plaintiffs have not sustained any injury and the Plaintiffs have not alleged an antitrust injury sufficient to confer standing to prove any claim under NRS 598A.060.

IT IS SO ORDERED.

DATED this 19 day of September, 2016.

Patrick Flanagan
PATRICK FLANAGAN
District Judge

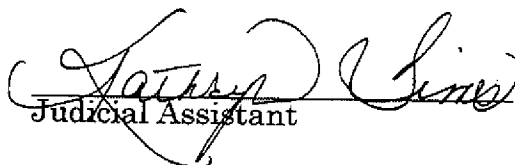
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 19 day of September, 2016, I electronically filed the following with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

Stephanie Rice, Esq., attorney for Nevada Recycling and Salvage, Ltd., and AMCB, LLC.; and

Mark G. Simons, Esq., attorney for Reno Disposal Company, Inc., Refuse, Inc., and Waste Management of Nevada, Inc.


Katherine Cline
Judicial Assistant

CASE NO. CV15-00497

NEVADA RECYCLING et al. vs. RENO DISPOSAL et al.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

04/16/15
HONORABLE
PATRICK
FLANGAN
DEPT. NO. 7
K. Oates
(Clerk)
S. Koetting
(Reporter)

HEARING IN RE: APPLICATION FOR TEMPORARY
RESTRAINING ORDER

Stephanie Rice, Esq., was present in Court on behalf of the Plaintiffs, who were not present.

Mark Simons, Esq., and Scott Hernandez, Esq, were present in Court on behalf of the Defendants, who were not present.

9:22 a.m. – Court convened with Court and counsel present.

The Court recited a procedural history of this case.

Counsel Rice, on behalf of the Plaintiffs, addressed the Court and argued in support of the Application for Temporary Restraining Order to include that the Defendants should be enjoined from making false statements and misrepresentations about licensed haulers in town.

Counsel Simons, on behalf of the Defendants, addressed the Court and argued in opposition to the Application for Temporary Restraining Order to include that the Plaintiffs have no likelihood of success on the merits because their intention violates the express provisions of the Commercial Franchise Agreement and therefore the request for Temporary Restraining Order should be denied.

Counsel Rice further argued in support of the Application for Temporary Restraining Order to include if the Court orders the posting of a bond, that it be nominal.

COURT ORDERED: Plaintiffs' Application for Temporary Restraining Order is DENIED. It is further ordered that counsel Simons will prepare the proposed order.

10:28 a.m. – Court stood in recess.

CASE NO. CV15-00497

NEVADA RECYCLING et al. vs. RENO DISPOSAL et al.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

07/29/15

HONORABLE

PATRICK

FLANGAN

DEPT. NO. 7

K. Oates

(Clerk)

S. Koetting

(Reporter)

ORAL ARGUMENTS IN RE: DEFENDANT'S MOTION TO DISMISS

THE VERIFIED AMENDED COMPLAINT

Stephanie Rice, Esq., and Del Hardy, Esq., were present in Court on behalf of the Plaintiff, who was not present.

Mark Simons, Esq., and Scott Hernandez, Esq., were present in Court on behalf of the Defendant, who was not present.

1:46 p.m. – Court convened with Court and counsel present.

The Court recited a procedural history of this case.

Counsel Simons, on behalf of the Defendant, addressed the Court and argued in support of Defendant's Motion to Dismiss the Verified Amended Complaint ("Motion to Dismiss").

Counsel Rice, on behalf of the Plaintiff, addressed the Court and argued in opposition to Defendant's Motion to Dismiss.

Respective counsel presented additional argument in support of their respective positions.

3:25 p.m. – Recess.

4:25 p.m. – Court reconvened with Court and counsel present.

COURT ORDERED: Defendant's Motion to Dismiss the Verified Amended Complaint is GRANTED; Plaintiff's Motion to Strike the Defendant's Reply Brief as untimely is DENIED; Defendant's Motion to Dismiss the Claims of Defamation and Defamation *Per Se* is GRANTED; Defendant's Motion to Dismiss the Breach of Contract and Breach of Implied Covenant of Good Faith and Fair Dealing is GRANTED; Defendant's Motion to Dismiss the Claim Relating to Price Fixing is GRANTED; Defendant's Motion to Dismiss Plaintiff's Unfair Trade Practices Claim as to the Collusion with Castaway in Pursuit of an Unlawful Monopoly is DENIED; and the Defendant's Motion to Dismiss the Claims for Fraud, Fraud in the Inducement, and Fraudulent Misrepresentation is GRANTED. It is further ordered that counsel Simons is to prepare the proposed order.

4:50 p.m. – Court stood in recess.

CASE NO. CV15-00497

NEVADA RECYCLING et al. vs. RENO DISPOSAL et al.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

01/29/16

HONORABLE

PATRICK

FLANGAN

DEPT. NO. 7

K. Oates

(Clerk)

S. Koetting

(Reporter)

STATUS HEARING

Stephanie Rice, Esq. and Rich Salvatore, Esq. were present in Court on behalf of the Plaintiffs, who were not present.

Mark Simons, Esq., was present in Court on behalf of the Defendants, who were not present.

10:02 a.m. – Court convened with Court and counsel present.

Counsel Simons, on behalf of the Defendants, addressed the Court and advised that while the parties have discussed this case, a Settlement Conference may not be beneficial at this time.

Counsel Rice, on behalf of the Plaintiffs, addressed the Court and responded that his case is relatively new, the parties are engaging in discovery, there is a Motion pending before the Discovery Commissioner, and a Settlement Conference may be more beneficial in 180 days.

A Scheduling Order was entered by the Court, to which counsel Rice responded she would not waive written expert reports.

Counsel Simons responded and provided the Court with a more detailed status of this case to include that two depositions have been taken thus far, and he has invoked the common interest privilege.

Further, counsel sought guidance from the Court to include that if and when discovery issues arise, should they be heard by the Discovery Commissioner or go directly to Department Seven.

Counsel Rice replied that opposing counsel's argument relating to the common interest privilege is "weak", a ruling by the Discovery Commissioner as to the filed Motion should be filed shortly, per his office, and it was the intent of the Defendants to establish a monopoly, and the documents between Waste Management and Castaway, including the confidentiality agreement, are fair game.

COURT ORDERED: The Court finds that the discovery disputes in this case should first be heard by the Discovery Commissioner's Office, prior to being heard by Department Seven.

10:24 a.m. – Court stood in recess.

CASE NO. CV15-00497

NEVADA RECYCLING et al. vs. RENO DISPOSAL et al.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

08/02/16
HONORABLE
PATRICK
FLANAGAN
DEPT. NO. 7
K. Oates
(Clerk)
S. Koetting
(Reporter)

HEARING IN RE: DEFENDANTS' MOTION FOR PROTECTIVE
ORDER IN RE: JONATHAN SHIPMAN DEPOSITION

Richard Salvatore, Esq., and Stephanie Rice, Esq., were present in Court on behalf of the Plaintiffs, who were not present.

Mark Simons, Esq., and Therese Shanks, Esq., were present in Court on behalf of the Defendants, who were not present.

1:33 p.m. – Court convened with Court and counsel present.

The Court recited a procedural history of this case.

Counsel Simons, on behalf of the Defendants, addressed the Court and argued in support of the Motion for Protective Order as to the deposition of Deputy City Attorney Jonathan Shipman. Further, counsel argued that the deposition is presently scheduled for August 8, 2016, the parties cannot agree to reschedule the same, however, counsel argued in support of suspending the deposition to allow the Court sufficient time to review and rule on pending Motions for Summary Judgment, with a Hearing presently scheduled for August 18, 2016.

Counsel Salvatore, on behalf of the Plaintiffs, addressed the Court and argued in opposition to delaying counsel Shipman's deposition, to include the December trial date is looming and the parties are approximately 30 days away from the discovery cutoff date. Further, counsel argued that the Motion for Sanctions and to Compel is not out of retaliation, but rather, Plaintiffs' counsel have not received the requested documentation.

Counsel Simons responded and further argued in support of rescheduling counsel Shipman's deposition.

COURT ORDERED: Defendants' Motion for Protective Order as to the deposition of Deputy City Attorney Jonathan Shipman only is GRANTED. It is further ordered that the Court will review the Motion to Compel and fashion a remedy. It is further ordered the trial date in this matter will not be continued, and if necessary, the parties may set an additional Hearing the week after the Motions Hearing presently scheduled for August 18, 2016 to address discovery issues.

1:55 p.m. – Court stood in recess.

CASE NO. CV15-00497

NEVADA RECYCLING et al. vs. RENO DISPOSAL et al.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

08/18/16
HONORABLE
PATRICK
FLANAGAN
DEPT. NO. 7
K. Oates
(Clerk)
S. Koetting
(Reporter)

ORAL ARGUMENTS IN RE: DEFENDANTS' MOTIONS FOR
SUMMARY JUDGMENT

Richard Salvatore, Esq., and Stephanie Rice, Esq., were present in Court on behalf of the Plaintiffs, who were not present.

Mark Simons, Esq., and Therese Shanks, Esq, were present in Court on behalf of the Defendants, with representative Andrew Kenefick being present.

10:00 a.m. – Court convened with Court, counsel and representative Kenefick present.

The Court recited a procedural history of this case.

Counsel Simons, on behalf of the Defendants, addressed the Court and argued in support of Defendants' Motion for Summary Judgment as to liability.

Counsel Rice, on behalf of the Plaintiffs, addressed the Court and argued in opposition to Defendants' Motion for Summary Judgment as to liability.

11:22 a.m. – Recess.

11:39 a.m. – Court reconvened with Court, counsel and representative Andrew Kenefick present.

Counsel Rice, on behalf of the Plaintiffs continued with argument in opposition and denial of Defendants' Motion for Summary Judgment as to liability.

The Court inquired of counsel Simons, who in turn responded.

Counsel Salvatore, on behalf of the Plaintiffs, addressed the Court and argued in opposition to Defendants' Motion for Summary Judgment as to damages.

Counsel Simons continued with argument in support of Defendants' Motion for Summary Judgment as to damages.

COURT ORDERED: The Court outlined the applicable findings in this matter an ordered Defendants' Motions for Summary Judgment GRANTED. Counsel Simons to prepare and submit the proposed order.

1:03 p.m. – Court stood in recess.

1 **Code 1350**

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3
4 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
5 **IN AND FOR THE COUNTY OF WASHOE**

6 **NEVADA RECYCLING AND**
7 **SALVAGE, LTD,**

Case No. CV15-00497

8 **Plaintiff,**

Dept. No. 7

9 **vs.**

10 **RENO DISPOSAL COMPANY, INC.**
11 **a Nevada corporation doing business**
12 **as WASTE MANAGEMENT, et. al,**

13 **Defendants.**

14 _____ /
15 **CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

16 I certify that I am an employee of the Second Judicial District Court of the State of Nevada,
17 County of Washoe; that on the 10th day of October, 2016, I electronically filed the Notice of Appeal
18 in the above entitled matter to the Nevada Supreme Court.

19 I further certify that the transmitted record is a true and correct copy of the original
20 pleadings on file with the Second Judicial District Court.

Dated this 10th day of October, 2016

21 Jacqueline Bryant
22 Clerk of the Court

23 By /s/ Yvonne Vilorio
24 Yvonne Vilorio
25 Deputy Clerk
26
27
28

WINTER STREET LAW GROUP

96 WINTER ST
RENO, NV 89503-5605

WELLS FARGO BANK, N.A.

www.wellsfargo.com

94-7074/3212

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10/10/2016

PAY TO THE
ORDER OF

Nevada Supreme Court

\$ **250.00

Two Hundred Fifty and 00/100*****

DOLLARS

Nevada Supreme Court

MEMO

R: Bielser: Appeal

CV15-00497


AUTHORIZED SIGNATURE

MP

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